PB-214 092

DIGEST OF SELECTED LOCAL SOLID WASTE MANAGEMENT ORDINANCES

Mel D. Powell, et al

National Association of Counties Research Foundation

Prepared for:

Environmental Protection Agency

1972

DISTRIBUTED BY:

NTIS
National Technical Information Service
U. S. DEPARTMENT OF COMMERCE
5285 Port Royal Road, Springfield Va. 22151

Digest of Selected Local Solid Waste Management Ordinances

Digest of
Selected Local
Solid Waste
Management
Ordinances
Digest of
Digest of
Selected Local
Selected Local
Solid Waste
Solid Waste
Management
Management
Ordinances
Ordinances

PB 214 092

Reproduced by
NATIONAL TECHNICAL
INFORMATION SERVICE
U S Department of Commerce
Springfield VA 22151

393

This report has been reviewed by the U.S. Environmental Protection Agency and approved for publication. Approval does not signify that the contents necessarily reflect the views and policies of the U.S. Environmental Protection Agency, nor does mention of commercial products constitute endorsement or recommendation for use by the U.S. Government.

The Digests have not been checked against the original sources.

Digest of Selected Local Solid Waste Management Ordinances

This publication (SW-38c) was written for the Federal
solid waste management program by
MEL D. POWELL, BRUCE P. FIEDELMAN, and MYONG J. ROE,
National Association of Counties Research Foundation
under Contract No. CPE 69-114

U.S. ENVIRONMENTAL PROTECTION AGENCY
1972

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 - Price $[illegible]

FOREWORD

Included in this document are digests of 100 city and county solid waste management ordinances prepared by the National Association of Counties Research Foundation (NACORF) on contract to this Office. The ordinances were culled from a collection of 650, some of which were already in the files of the National Association of Counties and the National League of Cities, and some of which were acquired through a broadside request to local governments. NACORF developed the standard outline form used in the digests, chose the ordinances for digesting, and wrote the Introduction, which gives a valuable discussion of criteria for a solid waste management ordinance, all of which are published here without charge.

The last sentence of the Introduction (p xi)--''These ordinances are examples, not models''--needs re-emphasis. Local solid waste ordinances, the country over, leave much to be desired. As pointed out in the Introduction, they are ''fragmented and negative.'' They tend to view the solid waste management responsibilities of local governments in restricted terms; the terminology and functions show inconsistencies; and the controls are inadequate, as is the range of solid waste services performed.

In this respect, the NACORF experience is instructive. NACORF had difficulty in obtaining as many as 650 ordinances to work from, and from this stock of ordinances found it barely possible to select 100 for useful digesting. While the ten regions (in which the U.S. Environmental Protection Agency divides the United States for working purposes) are represented in the 100 digests, three States (California with 17, Florida with 9, and Oregon with 7) are perhaps over-represented. Communities in these States were apparently more responsive to the requests from NACORF.

The digested ordinances are useful examples of how cities and counties have legislated in the past. It would be still more useful for States and communities to have a model solid waste management ordinance as a guide to current efforts. Such a model is being developed in the Office, making use of the best of concepts in the present volume and the knowledge of city, county and State attorneys, legislators, and operating officials.

--SAMUEL HALE, JR.
Deputy Assistant Administrator
for Solid Waste Management

DIGEST OF SELECTED LOCAL SOLID WASTE MANAGEMENT ORDINANCES

Recent decades have witnessed a population explosion and a phenomenal growth of urban areas. Changes in population size and character, and a spectacular rate of urbanization, have had profound effects on the volume and nature of solid wastes generated.

Over 3.5 billion tons of solid wastes are estimated to be generated in the United States each year. An average of 5.3 pounds of waste is collected from each person in the United States, and it is estimated that by 1980, per capita waste collection will grow to 8 pounds per day. The effort expended for managing these wastes is considerable, with an estimated expenditure of 4.5 billion dollars per year to collect, transport, and dispose of household, municipal, commercial, and industrial wastes.

Primary responsibility for solid waste collection, processing and disposal rests with local levels of government. However, very few communities have implemented effective solid waste management programs. Municipal, town, or county government officials must provide the needed leadership to effect a solid waste management program in their communities.

A most effective approach to securing the implementation of a needed solid waste management program is to make adequate provision for it in ordinances, codes, or regulations.

The SOLID WASTE DISPOSAL ACT OF 1965 (P.L. 89-272) represents the culmination of federal efforts in maintaining and improving the health of our Nation and the beauty of the environment in which we live. In accordance with the Act the federal government assists State and local governments, and others involved in solid waste management, by researching and demonstrating new technology, by providing technical assistance and training, and through encouraging proper planning for State and local solid waste management programs. Since the passage of the Solid Waste Disposal Act, several States have enacted solid waste statutes. One major shortcoming of most existing State statutes is their fragmentation. Too often, aspects of storage, transportation, and disposal are treated under various legislative headings rather than being coordinated in one. Furthermore, authority is often delegated to several State agencies with no clear indication of their parameters of responsibility.

Most existing local solid waste management ordinances are similar to State law; that is, they are fragmented and negative, and lacking in proper definition of solid wastes. An effective ordinance should be conceptual in scope and should direct the responsible local agency to work with the responsible State agency in preparing procedures, standards, and regulations concerning solid waste management.

ELEMENTS OF A SOLID WASTE MANAGEMENT ORDINANCE

The administrative and enforcement provisions of a solid waste management ordinance embrace the following main features:

- Declaration of policy;
- Definitions;
- Administrative agency - organization functions and powers;
- Standards and regulations; and
- Enforcement.

Declaration of Policy

The purpose of a declaration of policy is to guide the courts and administrators in interpreting and applying the provisions of the law. A declaration of policy, if properly framed, is helpful in promoting support for the law, and establishing the scope and purpose of the legislation. In drafting a declaration of policy, every effort should be made to make it broad enough to fully present the basic policy elements underlying the ordinance and to avoid any language which would restrict the application of substantive provisions of the legislation.

Definitions

A definition section is an integral part of a comprehensive solid waste management ordinance. This section is important to the interpretation and administration of the ordinance. Vague or unduly restrictive definitions should be avoided.

A solid waste management ordinance should include broad, carefully worded definitions, which are important to clarify the meaning of terms that are not self-explanatory, and to adopt short terms that may be used in the body of the ordinance to save language.

The cornerstone of any solid waste management ordinance is a working definition of ''solid wastes.'' This definition should be broad enough to cover garbage, refuse, and other discarded solid materials, including solid waste materials resulting from industrial, commercial, and agricultural activities. The definition should not include solids or dissolved material in domestic sewage or other water pollutants.

Administration

Responsible Agency

One of the first decisions which must be made by any local community in regard to solid waste management is the authorization of a responsible agency. Some communities choose a single agency to be the administrative agency while others have the responsibility distributed among several agencies.

If it is a single agency, it is usually the public works department or the health department. If several departments are involved, it is usually these two combined. In some communities other individuals or agencies play minor roles.

There are advantages and disadvantages to having a separate department. The advantages include a separate budget, more visibility to the public and governing body, total attention devoted to the problem, no sharing of equipment and personnel, direct responsibility to the elected governing board, and higher priority status. The disadvantages include further fragmentation of local government, lack of coordination with related programs and duplication of certain types of personnel (e.g., budget, research, accounting).

In most communities, final responsibility rests with a single agency. This allows for much better coordination of all aspects of the solid waste program, but the primary responsibility should rest with the responsible agency. From a practical standpoint, concentrating authority in a single agency focuses responsibility.

Functions and Powers

The responsible agency can have a great variety of functions. Among the most common and most important of these are:

- Prepare all necessary plans for a public system or approve and regulate a privately operated solid waste system.
- Adopt, issue, amend, revoke and enforce rules and standards.
- Issue, renew and revoke permits.
- Issue warning notices and initiate proceedings after violations.
- Require submission of detailed plans and specifications for approval prior to the issuance of a permit.
- Inspect all aspects of the solid waste management system.

Legal Authority of Agency to Act

Before any action can be taken by the responsible agency, care must be taken to be sure that the agency has the authority to take such action. State enabling legislation must be carefully studied to see if local government can legally provide these services. If the local community has the authority, any State standards or regulations to which the local law must conform must be checked.

When the ordinance is written, care must be taken not to give the responsible agency unlimited discretion which may make the law invalid due to unconstitutional delegation of legislative powers, or invalid due to unlimited discretion with no guidelines.

Advisory Committee

Few communities have, at the present time, advisory committees on solid waste, but the establishment of such a committee is considered desirable. The main function of such a committee should be the making of recommendations to the responsible agency and the legislative body in the field of solid waste management.

It should be made clear that recommendations of the advisory committee are advisory only and not binding on the responsible agency or the legislative body. The agency should have full authority and responsibility for making decisions so that the committee's existence will neither weaken the authority of the agency nor give that body an opportunity to shift responsibility to the advisory committee.

Standards and Regulations

The ordinance for solid waste management should be conceptual in scope, flexible in methods, and positive in direction. The ordinance should incorporate the minimum State standards. It should provide for more stringent standards if these are more appropriate for solving local problems.

The technology of handling refuse is changing rapidly, and methods provided for in the ordinance may soon become obsolete and prove costly in light of newer developments. Therefore, writing specific rules and regulations into the ordinance is not recommended.

Rules and regulations should cover all the essential elements pertaining to solid waste management, including collection, storage, transportation, and disposal. For example, solid wastes should be stored in a container which has a tight-fitting cover, has suitable handles, and is water-tight and fly-proof. Such containers should be kept tightly covered at all times and should be of not less than thirty (30) gallons nor more than fifty-five (55) gallons in capacity for households.

The ordinance should prohibit various undesirable practices, such as open burning and open dumps. Scavenging and the feeding of garbage to hogs should be carefully controlled to prevent interference with normal collection and disposal operations.

Enforcement

There are two basic areas of enforcement, those which prevent violations and those which proceed against alleged violators. In the first category are included the requirements for permits which exist in most communities. The purpose of permits is to keep potential violators out of the solid waste system. Most communities have inspection procedures which are used to spot potential violations before they occur.

Once violations have occurred, there are several possible types of action that may be taken. If the violator is a permit holder, his permit may be suspended or revoked, but such action cannot be taken without complying with all the rules of administrative due process including notice and a hearing. All violators are subject to the penalties specified in almost all ordinances.

Many ordinances provide that appeals may be taken to the courts from orders of the responsible agency. Such appeals do not generally involve trial ''de novo'' but are primarily reviews of the legal propriety of the agency's decision. If the prescribed statutory procedure has been followed and the determination is supported by substantial evidence, the order of the agency will usually be affirmed by the court. On the other hand, in a trial ''de novo'' the court is authorized to exercise its independent judgment on the evidence and to make an independent determination of the reasonableness and legality of action on all issues of law, facts, and mixed questions of law and opinions therein involved.

Conclusion

The digest of solid waste ordinances presented in the following pages illustrates the various and divergent approaches which are followed by various communities in dealing with solid waste management.

The digest is divided into categories according to whether the ordinance is from a city, county or is regional in scope. Within each of these three categories, the ordinances are divided according to their primary function - e.g. collection, storage, disposal or comprehensive.

The one hundred (100) ordinances included in the digest are designed to give a cross section of ordinances being followed today in various areas of the Nation. They are not designed to be the one hundred best ordinances available, although they surely rank among the better ones.

Care should be taken not to assume that simply because an ordinance is included in the digest it is good and may be adopted without changes. Each community has its own needs and resources, and each community has different legal authority. These ordinances are examples, not models.

TABLE OF CONTENTS

			Page
INTRODUCTION			v
CITY ORDINANCES			
Category	City Number	City Name	
COLLECTION	1	Escondido, California	1
	2	Inglewood, California	5
	3	Los Angeles, California	9
	4	North Miami Beach, Florida	12
	5	Elmhurst, Illinois	16
	6	Ann Arbor, Michigan	19
	7	Duluth, Minnesota	22
	8	Kansas City, Missouri	26
	9	Sparks, Nevada	30
	10	Ramapo, New York	33
	11	Oklahoma City, Oklahoma	37
	12	Beaverton, Oregon	40
	13	Dallas, Oregon	44
	14	Abington, Pennsylvania	47
STORAGE	15	Tucson, Arizona	50
DISPOSAL	16	Bluffton, Indiana	54
	17	Chesterfield Township, Michigan	58
	18	Irondequoit, New York	61
	19	Oklahoma City, Oklahoma	64
COMPREHENSIVE	20	Fairbanks, Alaska	69
	21	Fremont, California	72

Preceding page blank

22	Fresno, Calif.	77
23	Sacramento, Calif.	80
24	San Jose, Calif.	82
25	Santa Rosa, Calif.	85
26	Aurora, Colorado	88
27	Boulder, Colorado	91
28	Westport, Connecticut	96
29	Washington, D. C.	100
30	Clearwater, Florida	105
31	Ft. Lauderdale, Florida	109
32	Jacksonville, Florida	113
33	Miami, Florida	117
34	Miami Springs, Florida	121
35	St. Petersburg, Florida	125
36	Sarasota, Florida	129
37	Grangeville, Idaho	133
38	Idaho Falls, Idaho	137
39	Moscow, Idaho	140
40	Moline, Illinois	143
41	Richmond, Indiana	147
42	Bettendorf, Iowa	150
43	Dubuque, Iowa	156
44	Kansas City, Kansas	159
45	Salina, Kansas	164
46	Wichita, Kansas	167
47	Louisville, Kentucky	170

	48	Baton Rouge, Louisiana	174
	49	Rockville, Maryland	179
	50	Brookline, Massachusetts	184
	51	Detroit, Michigan	188
	52	Culbertson, Montana	192
	53	Grand Island, Nebraska	195
	54	Albuquerque, New Mexico	199
	55	Hyde Park, New York	202
	56	Red Hook, New York	206
	57	Rochester, New York	209
	58	Hamilton, Ohio	214
	59	Astoria, Oregon	217
	60	Salem, Oregon	223
	61	Memphis, Tennessee	227
	62	El Paso, Texas	230
	63	Logan City, Utah	234
	64	Othello, Washington	238
	65	Green Bay, Wisconsin	243

COUNTY ORDINANCES

Category	County Number	County Name	
COLLECTION	66	Los Angeles, California	248
DISPOSAL	67	DuPage, Illinois	251
	68	Kane, Illinois	255
	69	Madison, Illinois	258
	70	Wells, Indiana	262
	71	Jefferson, Louisiana	265

	72	Anne Arundel, Maryland	269
	73	Washington, Minnesota	273
	74	St. Louis, Missouri	277
	75	Douglas, Nebraska	280
	76	Umatilla, Oregon	283
COMPREHENSIVE	77	Madera, California	286
	78	Napa, California	289
	79	Sacramento, California	293
	80	San Bernardino, California	297
	81	San Diego, California	301
	82	San Joaquin, California	305
	83	Santa Barbara, California	310
	84	Sonoma, California	314
	85	Dade, Florida	318
	86	DeKalb, Georgia	322
	87	Baltimore, Maryland	326
	88	Montgomery, Maryland	331
	89	Prince George's, Maryland	334
	90	Kalamazoo, Michigan	338
	91	Los Alamos, New Mexico	343
	92	Iredell, North Carolina	346
	93	Mecklenburg, North Carolina	349
	94	Marion, Oregon	352
	95	Washington, Oregon	357
	96	Allegheny, Pennsylvania	360
	97	Salt Lake, Utah	363

98	Fairfax, Virginia	366
99	Prince William, Virginia	369

REGIONAL ORDINANCE

Region Number	Region Name	
100	Central Savannah River Area, Georgia	373

ESCONDIDO, CALIFORNIA

I. NAME OF ORDINANCE

Ordinance No. 509 - October 20, 1954.

II. GENERAL STATEMENT

1. Declaration of Policy

This is an Ordinance regulating the keeping, collection, and disposal of garbage, trash, and rubbish.

2. Definitions

a. Garbage - includes all animal and vegetable refuse from kitchens of households, restaurants, stores, markets, warehouses and delivery vehicles, all household waste which has been prepared for food, or shall have resulted from the preparation of food or table refuse or offal, and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fruits, or vegetables, and shall include all garbage which shall have resulted from the sorting or the commercial preparation or processing of food or food products by any food manufacturer or distributor. (Section 1a)

b. Combustible Rubbish - includes all papers, rags, discarded household bedding, excelsior or other packing materials, cartons, boxes and containers of wood or fiber, sawdust, or shavings from lumber yards, mills, factories or shops, lumber scraps, wood or wooden articles, grass, trees, plants, vines and the prunings thereof. Combustible rubbish shall not include dirt, sweepings, plaster or other building materials, whether combustible or noncombustible, resulting from the repairing or demolishing of old buildings or resulting from new construction. (Section 1b)

c. Noncombustible Rubbish - Includes all refuse matter not included within the term ''combustible rubbish'' herein-before described, and shall include among other things, ashes weighing with container not over fifty (50) pounds, bottles, broken glass, crockery, earthenware, tin cans, tinware, wire, wire netting, and other articles of discarded metal or stone of less than twenty (20) pounds in weight each, automobile tires and tubes, batteries, metal kegs, barrels, or casks, but shall not include dirt sweepings, rocks, or stones as such, or bricks, plaster, mortar, or other building materials, whether combustible or noncombustible, resulting from the repairing or demolishing of old buildings or resulting from new construction. (Section 1e)

III. ADMINISTRATION

1. Responsible Agencies

- a. Health Officer (Section 5)
- b. City Administrator (Section 8d)
- c. City Council (Section 9)

2. Functions and Powers

a. Health Officer

- (1) To issue order prohibiting certain refuse burials; such orders are final. (Section 5)

b. City Administrator

- (1) To regulate method of conveyance of garbage and to approve of all vehicles used. (Section 6)
- (2) To charge for and supervise all collection and removal. (Section 8d)
- (3) To cancel any charge for collection if he feels collection not necessary. (Section 12)

c. City Council

- (1) To contract for disposal of garbage and rubbish. It shall not be required to accept lowest bid but may accept contractors it feels are best qualified. (Section 9)
- (2) To terminate contract upon failures to conform to contract or Ordinance after hearing. (Section 9)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. It is the duty of every person owning or occupying a place of residence to provide and keep in an easily accessible place a garbage collector. It must be a water-tight metallic receptacle with suitable handles and a tight-fitting cover. It shall have a capacity of between five and 20 gallons and a weight not to exceed 50 pounds when filled. (Section 2)

b. Garbage or garden refuse may be buried in the ground if covered by at least 12 inches of soil in such a manner as to prevent the escaping of odors and at least 60 feet from any place of human habitation. If the burial becomes a nuisance or endangers public health, the health officer may prohibit it, and such an order is final. (Section 5)

c. When not actually collecting garbage, all collection vehicles shall be covered so as to prevent flies, offensive odors or loss of garbage. (Section 6)

d. All garbage or rubbish gathered and collected by the contractor shall be destroyed or otherwise disposed of by said contractor in a manner satisfactory to the City Council. (Section 7)

e. The maximum amount of garbage for a single family residence or unit is 20 gallons; the maximum amount of combustible rubbish is 100 pounds and noncombustible rubbish is 80 pounds. No bundle or container shall weigh more than 50 pounds. Collection shall be at least twice a week. (Section 8a)

f. For business establishments, collection shall be daily except Sunday and holidays. The maximum amounts and weights are the same as for residences except there may be no more than 30 gallons of garbage. (Section 8b)

g. In residential areas, no less than two (2) nor more than four (4) days shall elapse between collections, and they must be on the same days each week. If collection day is on January 1, Memorial Day, July 4, Labor Day, Thanksgiving, or Christmas, collection may be made the preceding or succeeding day provided the intention to do so is published in collection schedules. (Section 8c)

h. If any person desires to have more collections than are provided for, he may make a private contract with the contractor with payment directly to the contractor. (Section 10)

i. For collection services of garbage and rubbish, there shall be charged such sums as may be determined by the City Council. (Section 10)

2. Prohibited Activities

a. It shall be unlawful to gather, collect, remove or disturb any garbage, combustible or noncombustible rubbish from any receptacle or transport such materials without having a contract with the City. (Section 3)
b. It shall be unlawful for any person to burn any garbage. (Section 4)
c. It shall be unlawful to throw, place, or scatter any garbage, garden refuse, combustible or noncombustible rubbish upon or below the surface of any premise except as provided in IV. 1. b. (Section 6)

V. ENFORCEMENT

1. Requirements for Permits

City Council has power to let contracts for collection of garbage and rubbish. Council may take the bidder it deems best even if not the lowest bidder. (Section 9)

2. Liability for Violators

Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor.

3. Administrative Proceedings

   a. Health Officer may issue order prohibiting certain burials of garbage and such order is final. (Section 5)
   b. If contractor fails to conform to the contract or this Ordinance, City Council may, at its option, and after a hearing, terminate the contract upon ten days notice and let out a new contract. (Section 9)

4. Penalties

   Penalty shall be, upon conviction, a fine of not more than $200 or imprisonment of not more than three months or both. (Section 13)

5. Performance Bonds

   City Council may set as a condition of granting the contract a performance bond in an amount to be determined by the Council.

INGLEWOOD, CALIFORNIA

I. NAME OF ORDINANCE

Inglewood Municipal Code - Chapter 2 Refuse Ordinance No. 1893
December 30, 1966.

II. GENERAL STATEMENT

1. Declaration of Policy

An exclusive municipal system for the collection of all refuse is necessary for the presentation of the public health, welfare and safety. (Section 5201)

2. Definitions

a. Garbage - includes all animal and vegetable refuse from kitchens and household waste that shall have been prepared for or intended to be used as food or shall have resulted from the preparation of food, all table refuse and every accumulation of animal and vegetable refuse that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fruits or vegetables, except suet, tallow, bones or meat, trimmings that the owner or producer thereof can sell for a price greater than his cost, if any, of transporting such suet, tallow, bones and meat trimmings to the point of delivery.

b. Salvage - includes rubbish from which articles of value or material of value may be extracted, segregated, removed or developed.

c. Refuse - includes combustible waste material, noncombustible waste material, garbage as defined in this chapter, and shall include waste material and rubbish of every character and nature collected or accumulated within the City, except by-products salvage and junk, provided, however, that whenever, at the election of the disposing person or establishment, the collection and disposal of by-products, salvage or junk is by a contract agent, such shall be construed as refuse. Refuse shall also include all materials where the cost of hauling the same to the point of delivery exceeds the sales price.

d. Rubbish - includes waste material and refuse of every character both combustible and noncombustible collected or accumulated within the City except garbage, by-products, salvage or junk. Rubbish shall also include all material except garbage, where the cost of hauling the same to the point of delivery exceeds the sales price.

e. Junk - includes worn-out and discarded material that may be turned to some use but shall not include rubbish, by-products or salvage.

f. Approved Refuse Container, Residential District - a commercially manufactured refuse container made of galvanized metal, heavy-duty plastic, or pressed fireboard, of at least 20 gallons capacity, but not to exceed 40 gallons capacity, and equipped with an insect-proof cover. Said cover shall not be attached to the container. An approved refuse container shall be free from rough edges or jagged surfaces which would be likely to cause injury to persons lifting them. (Amend. Ordinance 1946, Effective 4-4-68)

g. Wrapped Garbage - includes garbage, food plant waste, and market refuse, that has been drained and securely wrapped in paper sacks, commercial paper or newspapers of sufficient thickness to prevent the refuse from being exposed to flies.

III. ADMINISTRATION

1. Responsible Agency

Administrative Officer, Director of Public Works, Assistant Street Superintendent, and the Sanitation Superintendent. (Section 5200.15)

2. Functions and Powers

a. To supervise collection and removal of all refuse. (Section 5209)
b. To make such rules as may be necessary, reasonable and proper. (Section 5210)
c. To approve schedule of collections. (Section 5211 and 5214)
d. To designate special collection points. (Section 5212)
e. To designate regular collection points. (Section 5213)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. General

Every owner, tenant, occupant or person in care of premises shall keep his premises in a clean and sanitary condition. (Section 5203)

b. Storage

(1) Refuse shall be placed in approved receptacles wherever practicable. (Section 5206)
(2) All trimmings shall be placed for collection in:

(a) bundles not exceeding four feet in length and two feet in diameter, and not exceeding 60 pounds gross weight
(b) approved refuse container with gross weight not exceeding 60 pounds.
(c) cardboard box or other disposable container not exceeding three cubic feet in capacity or 60 pounds gross weight per container.

All other refuse shall be placed in approved refuse containers or disposable containers, neither of which shall exceed 60 pounds gross weight. (Section 5215)

(3) Each place in city shall provide its own receptacles. (Section 5216)
(4) All refuse which accumulates shall be placed in approved receptacles. (Section 5217)
(5) All receptacles shall be kept in a safe and sanitary condition and shall be of such size, shape and weight as to be easily lifted into the collection vehicle. (Section 5218)

c. Collection

(1) The city shall provide for collection at least once each week. (Section 5207 and 5214).
(2) The contract agent shall collect and remove all properly placed refuse. (Section 5208)
(3) The following items shall not be collected:

(a) Ammunition, explosives or inflammables (should be delivered to police or fire departments).
(b) Animal excreta (dispose by sewer or burying).
(c) Hot or dry ashes (must be damp).
(d) Dead animals (Call SPCA).

d. Disposal

Burying shall only be done with permission of health officer and such refuse shall be immediately covered with earth. (Section 5202)

2. Prohibited Activities

a. No person shall place or permit to remain upon the surface of his premises any refuse. (Section 5204)
b. No refuse shall be accumulated for any period exceeding one week. (Section 5205)
c. No person except the City permit holder or contract agent shall collect refuse. (Section 5219)

. ENFORCEMENT

1. Requirements for a Permit

- a. Permit required to collect any refuse except by City or contract agent. (Section 5220)
- b. Upon application, city may grant permit immediately or may set the matter for a hearing (see Section on hearings), but no application may be denied without a hearing. (Section 5220)
- c. The conditions upon which the permit is to be granted must be met. (Sections 5220.4 and 5220.5)
- d. The duration of the permit shall not exceed one year. (Section 5220)

2. Administrative Proceedings (Hearings)

   a. Hearings on permit applications

      - (1) If hearing is set on permit application, it shall be set within 21 days after receipt of the application and the applicant shall be notified as to time and place of the hearing. (Section 5220.2)
      - (2) The City Council shall hear such evidence as the applicant cares to offer. A determination shall be made within 10 days after conclusion of the hearing and said determination shall be final.

   b. Hearings and fee appeal

      - (1) Appeal be made in writing by filing with the City clerk. (Section 5225)
      - (2) The Administrative Authority shall investigate and either grant the relief requested or set the matter for a hearing before the City Council. At said hearing, the applicant shall be given the opportunity to prove any error in the charges. The determination reached by the City Council will be final. (Section 5226)

LOS ANGELES, CALIFORNIA

I. NAME OF ORDINANCE

Minimum Regulations for Dumps in the City of Los Angeles as amended June 2, 1967.

II. GENERAL STATEMENT

1. Declaration of Policy

These rules cover application for and maintenance of dumps within the city. These are regulations of Board of Public Works.

III. ADMINISTRATION

1. Responsible Agency

Department of Public Works (Section 10)

2. Functions and Powers

   a. To accept applications and issue permits. (Section 101)
   b. To suspend or revoke permits. (Section 10)
   c. To make inspections (Section 2)

3. Relationship to other Programs (Section 10)

Nothing in these regulations shall preclude enforcement by applicable provisions of the Municipal Code or state law by the duly responsible agencies.

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Dumps used for noncombustible material shall be maintained so as to avoid creating a dust nuisance and avoid harboring rats. (Section 4)
   b. Toilet facilities must be properly maintained within 300 yards of dumping operation. (Section 5)
   c. Fences shall be provided and maintained to prevent unauthorized entry. Fencing must also be suitable to prevent neighborhood nuisances by windblown paper and debris. (Section 6A)
   d. Where salvaging permitted, material must be removed daily and residue placed in current dumping area and covered daily. (Section 6B)
   e. Approved methods to minimize dust shall be used. (Section 6C)
   f. Install and maintain 20 feet paved roadway within disposal site from adjoining thoroughfare a minimum of 300 feet beyond gates. (Section 6D)

g. All infestation must be immediately controlled and area covered by at least one foot of earth. (Section 6f)
h. Approved water supply for firefighting shall be provided. (Section 7A)
i. Approved sanitary drinking supply shall be provided. (Section 7B)
j. All surface waters shall be diverted from site so as to prevent percolation. (Section 7C)
k. Dumping operations shall be kept at least 50 feet from any watercourse or proposed drainage channel. (Section 6B)

2. Prohibited Activities

No salvage operations permitted unless specifically authorized by the permit. (Section 6B)

3. Approved Operations of Solid Waste Facilities

a. All waste materials shall be spread and compacted in successive layers not to exceed three feet compacted depth unless solid noncombustible material exceeds three feet. Compaction shall be done to reduce voids and level surface to properly support covering material. (Section 3A)
b. Watering may be done to aid compaction if it does not result in leaking, contamination, pollution, odor or become a nuisance. (Section 3B)
c. When depth of compacted material reaches maximum of nine feet, surface shall be leveled and covered with at least nine inches of earth. (Section 3C)
d. All deposited waste materials must be covered by midnight of day material is dumped or deposited. (Section 3D)

The edge of dump where material is regularly dumped need not be covered providing:

(1) Papers and other waste materials which may scatter are properly secured.
(2) Top and all sides are compacted and covered.
(3) Quantities of materials which may produce odor nuisances, fly breeding, rodent infestation are not exposed.
(4) Working face does not remain uncovered longer than overnight or weekend.
(5) Department of Public Works can order a cover notwithstanding these exceptions.

e. Top surface and all sides shall be maintained so that no refuse or rubbish is visible. (Section 3E)

f. After dump filled, a final seal of at least two feet of well compacted material shall be applied to top and all sides within 60 days. (Section 3F)

g. Only two feet layer of manure or organic food wastes permitted for each nine feet left. (Section 3H)
h. Certain materials are prohibited at dumps unless specifically provided. (Section 3I)
i. No open fires or burning allowed in the site. (Section 3J)
j. No excavation shall be made to a depth of greater than ten feet above maximum ground water table. (Section 7E)

V. ENFORCEMENT

1. Requirements for Permits, etc. (Section 1)

a. Applications must include a report containing all necessary information as to operators, owners of land, permission to use land, etc.
b. Permits issued only to operators.
c. All applications must include a detailed map showing:

    (1) Entire site
    (2) Current ground water level and maximum highwater level of record.
    (3) Any water ways or channels likely to affect the site.
    (4) Location of wells and springs.
    (5) Contours of site before and after filling.
    (6) Type of underlying soil
    (7) Existing and proposed building locations.
    (8) Intended points of ingress and egress plus means for controlling dust in the streets.
    (9) Location and type of fence.
    (10) Estimated time of completion plus schedule of hours and fees.

2. Inspections

a. Board of Public Works and other agencies may make inspections as often as necessary. (Section 2)
b. Inspection must be made by agent at least once a day for rodents, insects, etc. (Section 6F)

3. Administrative Proceedings

a. Report shall be filed with Board showing premises have been checked for rodents and what measures were taken. This must be done at least once a month. (Section 6G)
b. Permission to deviate from certain requirements noted herein may be granted only after concurrence of all other departments concerned. (Section 8)

4. Performance Bonds

Surety bond of $10,000 required and this shall continue in effect for 12 months following termination of authority or completion of operations. (Section 9)

NORTH MIAMI BEACH, FLORIDA

I. NAME OF ORDINANCE

Garbage, Trash, and Weeds - Chapter 10, Article 1, November 29, 1957, and later amended.

II. GENERAL STATEMENT

1. Declaration of Policy

This Ordinance is concerned with the collection and storage of garbage and trash.

2. Definitions

a. Garbage - includes every refuse accumulation of animal, fruit, or vegetable matter that attends the preparation, use, cooking, dealing in, or storage of, meats, fish, fowl, fruit, or vegetables, and any other matter of any nature whatsoever, which is subject to decay and the generation of noxious or offensive odors, or which, during or after decay, may serve as breeding or feeding materials for flies or other germ-carrying insects; and any bottles, cans or other containers which due to their ability to retain water, may serve as breeding places for mosquitos or other water-breeding insects. (Section 10.1a)

b. Trash - includes refuse accumulation of paper, bound paper, cardboard, wooden or paper boxes or containers, crates, sweepings, scrap metals, and all other accumulations of a a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices, and other business places. In general, trash shall be deemed to be all discarded salvable materials, save organic garbage. (Section 101.1b)

c. Garbage can - water-tight metal container with suitable handles and a tight-fitting cover of type commonly sold as a garbage can with a capacity of not more than thirty gallons. (Section 10.1c)

d. Trash can - water-tight metal container with suitable handles and a tight-fitting cover of type commonly sold as a trash can with a capacity of not more than thirty gallons. (Section 10.1d)

III. ADMINISTRATION

1. Responsible Agency

a. City Manager (Section 10-2)

b. City Director of Public Works [Section 10-19(c)]

2. Functions and Powers

   a. City Manager

      To formulate manner, place of collection, type of notice, discount, penalties. (Section 10-2)

   b. City Director of Public Works.

      To enforce city sanitary code, issue citations and summons for violation, recommend suspension or revocation of trash license. [Section 10-19 (c)]

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Residential

      Every dwelling place must have at least one garbage can. [Section 10.7 (b) (4)]

   b. Commercial

      (1) If more than seven, 20-gallon garbage cans needed, one mobile, one cubic yard container must be used for each additional seven cans. [Section 10.7 (b) (1) (a)]
      (2) The above subsection also applies to trash can except capacity of trash cans may be 30 gallons. [Section 10.7 (b) (1) (b)]

   c. Duplex; Multiple-Apartment; Co-operatives; Motels and Hotels.

      There must be at least one trash can and one garbage can for each living unit contained herein, except if more than seven are required, one mobile one cubic yard container shall be used for each seven cans. [Section 10.7 (b) (1) (c)]

   d. Comprehensive for all units

      (1) The garbage and/or trash cans must be kept in an easily accessible place upon the premises of owner or occupant. [Section 10.7 (a) (2) and Section 10.7 (b) (2)]
      (2) All cans or containers must be disinfected with a solution containing not less than five percent of DDT or its equivalent twice a month. [Section 10.7 (a)(3) and Section 10.7(b)(3)]
      (3) Trash and garbage must be in separate cans, each must be sufficient to hold seven days accumulation.[Section 10.7(a) (4) and Section 10.7 (b)(4)]
      (4) All garbage, etc. shall first be drained of all liquids before depositing in cans. The garbage shall be wrapped in paper before being placed in the garbage can, and the can shall be kept tightly covered at all times. (Section 10.8)

(1) Garden trash shall be deposited in front of premises. Trunks and branches must be cut into lengths not to exceed five feet and no single piece shall exceed fifty pounds in eight. (Section 10.10)

2. Prohibited Activities

a. It shall be unlawful to deposit garden trash on any adjoining lot whether vacant or improved, occupied or unoccupied or upon any other lot or premises, or street, alley or park, or any canal or waterway, lake or pool within the city. (Section 10.10)
b. It shall be unlawful to deposit or allow a person under their control to deposit in any of the waters of the lakes, rivers, canals, streams, ditches, rock pits or sumps, within the limits of the city, any rubbish, filth, or poisonous or deleterious substance, or substances, liable to affect the health of person, fish or livestock, or place of deposit. (Section 10.11)
c. It shall be unlawful to deposit on or bury in any land within the city limits any garbage or trash except as provided in this chapter. [Section 10.12(1)]
d. It shall be unlawful to remove or convey any garbage or trash upon or along any public street or alley except as provided. [Section 10.12(2)]
e. It shall be unlawful to place or cause to be placed on or in any public street or alley discarded building material, dirt, rock, glass, or scrap iron for collection. [Section 10-12(3)]
f. It shall be unlawful to permit an accumulation of garbage or trash upon any premise in the city for a period longer than seven days. [Section 10.12 (4)]
g. It shall be unlawful to owner or occupant of any land to permit to remain thereon any accumulation of debris, decayed vegetable matter, filth, dangerous trees, rubbish or trash, or growth of weeds, noxious plants or weeds.

V. ENFORCEMENT

1. Requirements for Permits

a. No new business shall be issued an occupational license until deposit covering trash collection service is paid. [Section 10-9(a)]
b. Private commercial trash collection must obtain a special trash occupational license following application and approval by city council. This enterprise is under direct supervision of City Director of Public Works. [Section 10-19(b)]
c. The cost of such a license is two hundred dollars. [Section 10-19(e)]

2. Inspection Procedure

All garbage cans, trash cans, and mobile containers subject to inspection and approval or condemnation by superintendent of the sanitation department. [Section 10-7(a)(3)]

3. Administrative Proceedings

   a. Should owner or occupant of any land, fail, refuse, or neglect to remove accumulation of debris, decayed vegetable matter, filth, rubbish, trash, dangerous trees or excessive growth of weeds, etc., he shall be served with a thirty-day notice in writing directing the owner or occupant to abate the nuisance. (Section 10-15)
   b. If after thirty days the nuisance is not abated, the city may undertake to do so and assess the costs by lien against the property. (Section 10-16)
   c. Service upon the owner or occupant of notice to abate shall either be by personal service or mailing the notice to last known address as it appears on city records. If address of owner is unknown, service of notice shall be made by posting notice on the property. (Section 10-13)

4. Penalties

Should the owner or occupant violate any or all provisions of this chapter, he shall be punished as provided in Section 18 of this code in addition to other penalties and remedies herein provided. Each day that a violation is permitted to exist shall constitute a separate offense. (Section 10-18)

5. Injunctive Powers

The City Director of Public Works, and for good cause shown, shall have the right to recommend the suspension and/or revocation of any occupational trash license issued by written request and report to the city council and for violation of the terms of this section or for violation of any ordinance of the city. [Section 10-19(d)]

ELMHURST, ILLINOIS

I. NAME OF ORDINANCE

Chapters 16 and 17 of Elmhurst City Code - June 2, 1969.

II. GENERAL STATEMENT

Definitions

a. Brush - includes trimmings from trees, bushes, shrubs and lawns but excluding branches over two inches in diameter at the butt.
b. Garbage - includes animal or vegetable waste such as that from food supply and offal including only such paper in which it may be wrapped.
c. Rubbish - includes ashes, cinders, glass bottles, cans, and other refuse.
d. Scavenging - includes collection of garbage, rubbish, brush or any other refuse. (Sections 16.01 and 17.01)

III. ADMINISTRATION

Responsible Agency

City Council

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Storage

      (1) Owner or occupant shall provide sufficient containers in good condition. (Section 16.02a)
      (2) Garbage containers shall be water tight, have a close-fitting cover, handles, and a capacity not exceeding 25 gallons. (Section 16.02b)
      (3) Rubbish containers shall be water tight and shall have a capacity not to exceed 2 2/3 cubic feet or 20 gallons and shall have sufficient handles at the sides. (Section 16.02c)

   b. Collection

      (1) Occupant shall place containers at edge of sidewalk for collection. (Section 16.03)
      (2) Ashes shall not be kept in building and shall be disposed of at the occupant's or owner's expense except where quanity does not exceed capacity of two containers, ashes may be placed in container. (Section 16.04)
      (3) Any person owning a place of business where food is consumed or dispensed for revenue shall have daily collection of

materials and dispose of them through either burning in an approved incinerator or some lawful manner outside the city. (Section 16.05)

2. Prohibited Activities

   a. It shall be unlawful to deposit anything other than garbage in a garbage container or to deposit garbage in any container or place other than the container designed for garbage. (Section 16.02d)
   b. It shall be unlawful to dump garbage anywhere in the City and except with a permit, it shall be unlawful to dump any rubbish or waste which might be contaminated or which might be scattered. (Section 16.07)
   c. It shall be unlawful to dump or burn leaves or any material on the street nor shall any sweepings be swept into the street or gutter.
   d. It shall be unlawful to burn garbage or rubbish within the city in such a manner as to create a nuisance or endanger health. (Section 16.9)
   e. It shall be unlawful to install or operate a plant for burning of garbage or refuse until plans have been filed with the Superintendent of Building Construction and approved by him and a permit issued. (Section 16.09)

V. ENFORCEMENT

1. Requirements for Licenses

   a. License required for scavenging.(Section 17.02)
   b. Application shall be made to city clerk and include name and address of applicant, penal history, and legal status of applicant. (Section 17)
   c. Licenses shall not be issued to persons in certain classes. (Section 17.04)
   d. Fingerprints and photographs are required to be submitted with application.(Section 17.06)-
   e. The license shall be effective from May 1 - April 30. (Section 7.10)

2. Liability for Violators (Section 17.11)

   City council may revoke or suspend any license due to:

   a. Conviction of any crime which would have made applicant ineligible for the issuance of such license.
   b. Violation of any ordinance or statute regulating the business of scavenging.
   c. Performance forfeited or license revoked, and revocation is not revised. (Section 17.13)

3. Administrative Proceedings

   a. Applicant for license

City Council may require applicant to appear at a hearing to be examined and may require production of any books, records or other papers that the Council deems material to the determination of the application. The failure to appear or produce the requested materials or to answer any charge within three days shall, without good cause, be deemed an admission that the applicant is not qualified. (Section 17.05)

b. Revocation of License

(1) No license can be revoked or suspended by City Council without a public hearing.
(2) Licensee shall be given five days notice of the hearing and the charges against the licensee shall be specified.
(3) The notice shall be delivered personally or, if impossible to do so, shall be left with any person over 12 at last address of licensee.
(4) Licensee shall have opportunity to answer charges in writing and to appear and defend at said hearing.
(5) Within ten days after the conclusion of the meeting, the Council shall determine the issues and, if it shall decide to suspend or revoke the license, the licensee shall be notified within ten days of such action and the causes thereof. (Section 17.12)

4. Performance Bond

A $1,000 bond must be filed with application. In lieu of such bond, $1,000 in cash may be deposited. (Section 17.07)

5. Insurance

$100,000/person
$300,000/accident for personal injuries
$ 10,000/accident for property damage

Expiration of insurance without renewal shall result in voiding of license.

ANN ARBOR, MICHIGAN

I. NAME OF ORDINANCE

Title II - Utilities and Services, Chapter 26 ''Refuse''
February 21, 1957 and later amended.

II. GENERAL STATEMENT

Definitions

a. Garbage - includes putrescible animal and vegetable waste resulting from the handling, preparation, cooking, consumption of food, including cans, containers and wrappings wasted therewith.

b. Normal Commercial Collection - the collection without charge of two twenty-five gallon containers three times per week.

c. Normal Residential Collection - the collection without charge of no more than three twenty-five gallon containers per week plus bulk refuse as defined herein after at Section 2:3, subsection (2)d.

d. Refuse - includes all putrescible and nonputrescible solid waste (except body waste and sewage waste), which is composed wholly or partly of garbage, rubbish, ashes, sweepings, solid market and industrial wastes, and other such substances which may become a nuisance.

e. Rubbish - includes nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, cardboard, glass, crockery, and similar materials but excluding items such as broken concrete stones, tree trunks, and also excluding such items that cannot effectively be handled by two men, such as pianos, refrigerators, etc. (Section 2.1)

III. ADMINISTRATION

1. Responsible Agency

   Superintendent of the Public Works Department.(Section 2.2)

2. Functions and Powers

   a. To supervise collection, conveyance, and disposal of all refuse.
   b. To make reasonable rules and regulations
   c. To supervise and operate sanitary landfill.(Section 2.2)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Storage

(1) Every occupant or owner shall maintain the premise in a clean and orderly condition.
(2) All structures built after May 15, 1968 shall have certain minimum standards for storage of refuse.
(3) For all other structures, there shall be sufficient containers to hold two weeks' accumulation of refuse.
(4) General Regulations

 (a) Containers (non-mechanical) shall not exceed 25 gallons capacity, be in good repair, leakproof, rodent proof and free from holes.
 (b) Containers shall have tight-fitting covers and adequate handles.
 (c) Tree trimmings, hedge clippings, cardboard containers and other bulk refuse must be securely tied in bundles not exceeding 48 inches in diameter and 75 pounds in weight.
 (d) Building materials shall not be deposited in containers but must be disposed of with other bulky items as an ''extra service.''
 (e) Dead animals, animal waste, liquids, hot ashes, dangerous chemicals or explosives shall not be placed in containers but must be otherwise disposed of by the owner.
 (f) No container shall be filled beyond its capacity.

(5) Containers shall be placed for collection at places easily accessible to the collector. (Section 2.3)

b. Collection

Person may dispose of his own refuse by:

(1) Approved incinerator or garbage grinder within a building.
(2) By outside incineration if refuse can be burned without objectionable odor and contains no garbage.
(3) By transporting to city sanitary landfill if approved by the Superintendent. (Section 2.4)

c. Transportation

(1) Vehicles shall be kept clean and in good repair
(2) Vehicles shall be maintained and operated so that there shall be no spillage.
(3) Hauling body shall be water tight and completely enclosed.
(4) During fly-breeding season, all vehicles used to transport refuse containing putrescible materials shall be treated at intervals in the manner indicated by the Superintendent. [Section 2.5(2)]

V. ENFORCEMENT

1. Requirements for Licenses

a. Application shall be made to City Clerk.
b. Superintendent must certify ability of license and equipment to conduct a refuse collection business.
c. License shall be from May 1 - April 30. [Section 2.5(1)]

2. Liability for Violators

Superintendent shall revoke license of any collector who fails to abide by the provisions of this Chapter or the rules and regulations of the Superintendent. [Section 2.5(3)]

3. Penalties

Violation of any provision of this Chapter is a misdemeanor and punishable as such. (Section 2.6)

4. Insurance

$ 50,000 personal injury to one person
$100,000 personal injuries or damages in one accident
$ 25,000 property damage [Section 2.5(2b)]

DULUTH, MINNESOTA

I. NAME OF ORDINANCE

Legislative Code of Duluth, Minnesota, Chapter 24 - Garbage, Trash, and Refuse, September 24, 1960.

II. GENERAL STATEMENT

Definitions

a. Ashes -- includes cinders and all solid products of complete combustion of wood, coal, or other combustible material; provided that it has been completely burned and if not mixed with any combustible or unsanitary material.

b. Garbage -- includes all combustible matter which is liable to ferment, decay, petrify, decompose or become offensive or a menace to health, the refuse matter from kitchens, pantries, dining rooms and other parts of hotels, restaurants, boarding houses, etc. or refuse fruit or vegetable matter.

c. Rubbish - includes all crockery, bottles or refuse glass, tin cans and other metal and noncombustible substances in whatsoever form the same may be, and all combustible materials or waste. (Section 24-1)

III. ADMINISTRATION

1. Responsible Agency

Director of Public Health (Section 24-8)

2. Functions and Powers

a. To revoke license upon good cause shown after public hearing. (Section 24-7)
b. To make all collections and removals. (Section 24-8)
c. To fix fee schedule, character and quantity of material collected and removed, etc., subject to approval of city council. (Section 24-10)
d. To establish various collection districts and decide which items will and will not be collected. (Section 24-11)
e. To inspect all receptacles and vehicles and, if unfit, prohibit their use until put in proper repair. (Section 24-16)
f. To investigate vehicles and equipment of license applicant for conformity and direct city clerk to grant or refuse license. (Section 24-3)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. It shall be the duty of any licensed person to collect and remove any of materials and substances specified in ordinance, establish and maintain systematic and regular collection and furnish printed schedule of collection service.

b. No licensee shall charge in excess of maximum fee. If he has good cause to believe he will not be paid, he may demand payment for services rendered in advance. If such payment is refused, he is not required to make such collection until he is paid. When licensee is directed in writing by director of public health to make such collection whatsoever, such licensee shall make the same, without being paid. The City will pay the licensee. (Section 24-10)

c. It shall be the duty of every tenant, lessee, or occupant to provide and maintain portable, water-tight vessels or cans to hold all the garbage which accumulates on their premises. They must be of such size to be easily handled by one man and shall be provided by handles and a tight-fitting cover. They shall be constructed of or lined with metal so as to make them watertight. All garbage shall be deposited in such cans but they shall not be filled to nearer than three inches from the top. No noncombustible material or substance shall be deposited therein. Such cans shall, during collection hours, be kept in place easily accessible to collectors and, in cold weather, in a place where they are not liable to freeze. (Section 24-2)

d. The collection vehicle shall be completely closed at all times except when being loaded or unloaded. (Section 24-14)

e. Such vehicles shall be adequately identified on both sides of body of vehicle. (Section 24-14)

f. Such vehicles shall be cleaned at least once a week while in use, to be kept clean while not in use. (Section 24-15)

g. Nothing in this Ordinance shall prevent any owner or agent from filling in or grading with ashes any tract of land by him, provided it is done in clean and sightly manner. (Section 24-17)

h. It shall be duty of every owner, tenant, lessee, or occupant to provide and maintain vessels, bins, or pits of sufficient size to contain all of the ashes that accumulate on the premises. If they are outside, they shall be suitably covered. No garbage or other refuse shall be placed therein. (Section 24-18)

i. All rubbish shall be stored in boxes, barrels, bins, or other receptacles provided that no garbage, ashes, or other combustible material is placed therein. (Section 24-19)

2. Prohibited Activities

a. It shall be unlawful to engage in business of collecting or removing ashes, garbage, trash or refuse without a license. (Section 24-2)

b. It shall be unlawful for any person to willfully turn over any vessel or can used for storage of garbage and spilling contents on street, avenue, alley or public grounds. (Section 24-14)

c. It shall be unlawful for any person to use or permit to be used any vehicle to convey garbage, etc. unless it is equipped with an all-steel body that is leakproof, spillproof and capable of being completely enclosed with a cover constructed of steel. No person shall load or drive vehicle in such a manner as to cause spillage of contents. (Section 24-14)

d. It shall be unlawful for any person to allow the vehicle to stand, be stored or kept in such a manner or for such a length of time that it becomes a nuisance. (Section 24-15)

e. It shall be unlawful for any person to dump, throw or deposit, or cause to be so done, on any street, alley, public or private premises any garbage, ashes, rubbish, refuse, etc. (Section 24-17)

ENFORCEMENT

1. Requirements for Permits, etc.

   a. No person shall engage in collection without a permit. (Section 24-2)
   b. Director shall make investigation of application and direct city clerk to grant or refuse the license.
   c. Fee of $100 per vehicle must be paid. (Section 24-5)
   d. All licenses issued for one year maximum with all licenses expiring on April 30. The licenses are nontransferable. (Section 24-6)

2. Inspections

   a. The Director shall inspect the vehicles and equipment of applicant prior to directing city clerk to grant or refuse license. (Section 24-3)
   b. All receptacles and vehicles shall be inspected by Director who shall prohibit their use if they are found unfit. (Section 24-16)

3. Liability for Violators

   Automatic ground for revocation if any licensed person convicted within any 12-month period of three violations of this or any other ordinance or statute or regulation of the state dealing with keeping, handling, or sale of food, food products, meat, poultry, fish, alcoholic and nonalcoholic beverages. (Section 24-7)

4. Administrative Proceedings

Any license may be revoked by director upon cause shown and after public hearing, a notice which must be mailed to licensee at least 10 days in advance of the hearing. Filing of application with false information shall be sufficient cause for revocation.

5. Penalties

6. Performance Bonds (Sec. 24-4)

Upon filing of application, applicant shall furnish corporate surety bond of $1000.

KANSAS CITY, MISSOURI

I. NAME OF ORDINANCE

Ordinance No. 36643 - January 1, 1970.

II. GENERAL STATEMENT

1. Definitions

   a. Bulky Rubbish - includes items of rubbish either too large or too heavy to be loaded in refuse collection vehicles with safety and convenience by refuse collectors, with the equipment available therefor.

   b. Director - Director of Public Works.

   c. Garbage - includes putrescible animal or vegetable wastes resulting from the handling, preparation, cooking, serving or consumption of food.

   d. Refuse - includes unwanted or discarded waste materials in a solid or semi-liquid state, consisting of garbage, rubbish, or a combination thereof.

   e. Rubbish - includes non-putrescible solid wastes consisting of combustible and non-combustible waste materials from residential apartment, commercial, industrial and institutional establishments, including yard wastes and items commonly referred to as ''trash.''

   f. Solid Waste - refuse. (Section 16.2)

III. ADMINISTRATION

1. Responsible Agency

   Director of Public Works

2. Functions and Powers

   a. To issue permits (Section 16.5)

   b. To conduct hearings (Section 16.10)

   c. To provide for exclusive city collection in certain areas (Section 16.20) and exemptions to this provisions.(Section 16.21)

   d. To issue rules and regulations.(Section 16.23)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Duties of owners and occupants.

(1) Provide and place sufficient and adequate storage facilities. (Section 1.63)

(2) Keep such containers and facilities in good repair and keep refuse properly stored. (Sections 16.26 and 16.27)

b. General Standards

(1) Collection shall be at least once a week with lesser intervals as determined by Director of Health. (Section 16.6)

(2) Residential containers shall be stored upon residential premises. Commercial refuse shall be stored on private property or specially granted public property. (Section 16.7)

(3) Vehicles used in transportation of refuse shall be kept clean and sanitary and so constructed with water tight, enclosed bodies and/or covers so as to prevent spillage. (Section 16.8)

(4) Refuse shall be disposed of at city operated landfills, private landfills with a city permit, or other lawful disposal stations approved by appropriate health officers. (Section 16.11)

c. Collection by City

(1) All residential refuse shall be collected by city except:

(a) Trailer parks or buildings with five or more units.

(b) Dwellings on land acrèage of more than three acres or dwellings in areas zoned for agriculture except on specific application of owners.

(c) Upon specific application, exemption may be granted to clustered multi-family housing under common ownerships and dwelling units in organized homes association if service at the same standard or a higher standard than required by this ordinance is provided.

(d) Director may also provide services to institutional establishments, commercial establishments and other industrial or business establishments upon specific application thereof. (Section 16.20)

(2) The city is not required to collect or dispose of improperly prepared refuse. (Section 16.22)

(3) Bulky refuse need not be collected unless it is prepared in manner approved of by Director. (Section 16.23)

b. Prohibited Activities

(1) It shall be unlawful to deposit refuse in container of another person, dwelling unit, or establishment without consent of owner.

(2) It shall be unlawful to interfere in any manner with refuse collectors or refuse collection equipment. (Section 16.25)

V. ENFORCEMENT

1. Requirements for Permits, etc.

a. Permit required to engage in business of collecting or disposing of refuse.

b. Permit application shall state type of refuse to be collected. Permits shall not be issued for residential rubbish or bulky rubbish alone.

c. Permit shall be for one calendar year. (Section 16.5)

2. Administrative Proceedings

a. Permits may be suspended or revoked upon notice and hearing before Director for any violation of this ordinance. (Section 16.5e)

b. Any person aggrieved by determination regarding exemption from service by the city may request a hearing before the Director within ten days after notification. (Section 16.21)

c. In hearing before the Director, aggrieved person may be represented by counsel, cross-examine witnesses and present evidence. If person aggrieved after hearing, he may appeal within ten days to Board of Refuse Appeals composed of Director, director of fire, and director of health except that Director having rendered decision shall be replaced by City Manager. The matter on appeal shall be heard de novo with appellant enjoying the same rights as in hearing. Board shall render written decision which shall be conclusive unless appealed to a court of competent jurisdiction. (Section 16.10)

3. Penalties

Any person violating the provision of this ordinance shall be fined not less that $5 nor more than $500 with each day of violation as a separate offense. (Section 16.28)

4. Insurance

$100,000 each person injured or killed
$300,000 injury or death to two or more persons in a single accident
$ 50,000 property damage

In event of cancellation, Director shall be notified by insurance carrier not less than ten days prior to the effective date of such cancellation and provisions to this effect must be incorporated in the policy. (Section 16.5e)

SPARKS, NEVADA

I. NAME OF ORDINANCE

Section 20 of Sparks City Code, amended through Ordinance No. 707.

II. GENERAL STATEMENT

Definitions

a. Garbage - includes ashes, cans, swill, all animal vegetable matter that attends the consumption of food or the preparation, storage or sale of meats, fish, fowl, fruits or vegetables, and all waste matter that is subject to decay or putrefaction, but does not include dish and waste waters.

b. Nauseous matter and debris - includes trash, garbage, filth, excretia, papers, refuse, offal, swill, dry grass (cut or uncut), weeds (cut or uncut), excelsior, wooden boxes, shavings, packing cases or other combustible, ill-smelling or offensive matter which, because of its nature, might prove a fire hazard or a menance to the health, peace or welfare of the citizens of the city if allowed to accumulate about the premises of any property in the city.

c. Trash - includes earth, soil, wood, tree leaves, dead trees and branches, clay, sand, bricks, plaster, portland cement, chips, shavings, grass cuttings, rocks, sticks, old papers and magazines, paper or wood cartons, rags, sawdust, old clothing, and all other combustible materials of a like nature which are not included in the definition of garbage. (Section 20.020 - 20.050)

III. ADMINISTRATION

1. Responsible Agnecy

City Council (Section 20.130)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. All persons residing in single family dwelling and all owners of multiple family dwellings shall use the garbage service provided for in this ordinance. (Sectior 20.165)

   b. Contract holder shall collect garbage three times weekly in business district and one time weekly outside of business district. (Section 20.170)

c. Weeds, dry grass, dead trees, tin cans, abandoned autos and auto bodies, materials upon any public or private property are a nuisance. (Section 20.170)

d. Cultivated and useful grasses and pastures are not nuisances except when necessary firebreak requirement not observed within seven days notice. (Section 20.275)

e. One or more suitable garbage cans with a tight cover into which can be placed all the refuse that accumulates on the premises. Each can shall have suitable handles, a capacity not to exceed 30 gallons and be kept covered and in an enclosure at all times. Individual cans must be provided for separate families or businesses within the same building. (Section 20.110)

f. The city council may grant an exclusive contract to collect, haul and dispose of all solid wastes subject to the right of any resident to haul his own trash and debris. (Section 20.130)

2. Prohibited Activities

a. It shall be unlawful for any person not authorized by the city council to haul or drive a vehicle with solid wastes materials through the street except that with the supervision of such an authorized person, debris and rubbish may be carried and dumped at the city dumping grounds. (Section 20.060)

b. It shall be unlawful for any solid waste material to accumulate more than 24 hours after notification by health officer. (Section 20.070)

c. It shall be unlawful to bury or attempt to bury any solid waste materials. (Section 20.070)

d. It shall be unlawful to deposit any solid waste materials on any public or private property. (Section 20.090)

e. It shall be unlawful to fail to clean premises, place all materials in containers and place containers in position for collection. (Section 20.100)

V. ENFORCEMENT

1. Requirements for Permits

City may grant exclusive contract. (Section 20.130)

2. Administrative Proceedings

a. If nuisance exists, a notice of violation shall be issued directing abatement. (Section 20.285)

b. Notice may be served by personal service, sending by registered mail, or by posting and publication. (Section 20.295)

c. Within 14 days, appeal may be made to city council. Within 5 - 15 days after filing, appeal shall be heard before the city council. All persons who fail to protest shall be deemed to have waived all objections. (Section 20.305)

d. Abatement shall be accomplished within 14 days after notification of decision of city council. (Section 20.315)

e. If abatement not completed, city shall abate nuisance and file an account with city council. (Section 20.325)

f. At least seven days after filing the account, the city council shall hold a hearing at their meeting. Notice shall be posted announcing time of city council meeting. (Section 20.335)

g. City council shall hear matter and if account is accepted, amount thereof shall become a lien on the property of the delinquent. (Section 20.345)

3. Penalties

a. Violation of sections 20.102 - 20.240 is punishable by a fine of not less than $5 nor more than $300 or by imprisonment by not less than 2½ days or more than 150 days, or both. (Section 20.250)

b. Any person who allows the existence of a public nuisance in property owned, occupied or controlled by him shall, upon conviction, be fined not more than $500 and/or imprisoned not more than six months and each day of violation is a separate offense. (Section 20.351)

4. Performance Bonds

$50,000 (Section 20.140)

RAMAPO, NEW YORK

I. NAME OF ORDINANCE

Refuse Removal Law: adopted June 23, 1969, took effect July 1, 1969. Local Law No. 2, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

To maintain prompt, efficient, clean and courteous service by the refuse collection industry at reasonable prices. (Section 2)

2. Definitions

When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The word ''shall'' is always mandatory and not merely directory. (Section 3)

a. Ashes - include residue from burning of wood, coal, coke, or other combustible materials.

b. Garbage - includes putrescible animal and vegetable waste resulting from the preparation, handling, cooking and consumption of food.

c. Refuse - includes all putrescible and nonputrescible solid wastes (except body wastes) including garbage, rubbish and ashes. Refuse shall not be deemed to include dead animals or abandoned automobiles.

d. Rubbish - includes nonputrescible solid waste (excluding ashes) consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, leaves, tree trimmings, wood, glass, bedding, crockery and similar materials.

III. ADMINISTRATION

1. Responsible Agency

Sanitation Commission (Section 17)

2. Functions and Powers

a. To grant licenses (Section 6[a])

b. To grant permission for higher collection charges after notice and public hearing of it finds the higher rates are fair and reasonable, in the public interest, and supported by evidence. (Section 7)

c. To grant renewal of license. (Section 11)

d. To refuse license renewal or revoke license if applicant or any partner has been convicted of a misdemeanor or felony which in judgment of Sanitation Commission renders him unift or undesirable to carry on business. (Section 12)

e. To make reasonable inspections of books of licensees. (Section13[k])

f. To make own determination regarding financial statement for any business which has failed to keep required books and records. (Section 13[m])

g. To adopt, amend and repeal rules and regulations after public hearing. (Section 17)

h. To investigate all violations and grievances reported. (Section 18[a])

i. To take testimony concerning violations, grievances of customers and petition for higher rates. (Section 18[b])

j. To hold public hearings on ten days notice by publication in official newspaper together with notice by registered mail to members of refuse collection industry involved. (Section 18[c])

k. To reasonably discipline licensees for non-compliance with rules, regulations or directives of Commission or for non-cooperation in an investigation or hearing. (Section 18[d])

3. Relationship to State Program

Nothing in this law shall be construed to supersede the minimum standards in State Sanitary Code which shall govern when and where any provision of this law is found to be inconsistent with said standards.

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Every licensee shall make at least two collections per week, at least three days apart. (Section 13)

b. Vehicles must be so constructed as to avoid spilling or leakage and any refuse spilled shall be immediately cleaned up. (Section 16[A])

c. Licensee shall keep all vehicles clean, sanitary and neatly painted and shall wash, clean, and disinfect such vehicles at least once a week. (Section 16[b])

d. Customers shall purchase their own containers according to standards established by the Commission. (Section 14[A])

e. All refuse shall be in the containers. (Section 14[B])

2. Prohibited Activities

a. It shall be unlawful for licensee to arbitrarily discontinue service to any customer. If any customer fails to pay for services rendered for three consecutive months, service may be discontinued by licensee by giving notice in writing to customer via registered mail with a copy to the Sanitation Commission. (Section 13[e])

b. It shall be unlawful for licensee to refuse to collect refuse although there is no separation of materials. (Section 13[b])

c. It shall be unlawful for licensee to refuse to accept a new residential customer on a street or route where it is already providing service. (Section 13[P])

V. ENFORCEMENT

1. Requirements for Licenses

a. No person shall carry on business of collecting, removing, or transporting refuse without first obtaining license from Sanitation Commission. (Section 4)

b. The fee for a license is $100 plus $50 for each vehicle used. If license obtained after July 1, fee is one half normal rate. (Section 5)

c. Each applicant shall file statement of insurance coverage of not less than $250,000/$500,000 covering bodily injury and property damage and covering each applicant and each vehicle. (Section 8)

d. Any person having been duly granted license may have it renewed providing there has been no material change in original or supplemental applications. (Sections 11-12)

2. Inspection Procedure

a. Licensee shall permit Commission to make reasonable inspections of books and records. (Section 13[L])

b. All vehicles used by refuse collectors shall have been inspected and approved by Health Department. (Section 16[A])

3. Liability

Anyone who uses a license granted to another person shall be guilty of a violation. (Section 15)

4. Penalties

Any person collecting refuse without a license is guilty of a violation and upon conviction shall be punishable by a fine of not more than $100. Each day violation is committed is a separate offense. (Section 19)

5. Performance Bonds

Each application for a license shall be accompanied by a bond of $2500. (Section 9)

OKLAHOMA CITY, OKLAHOMA

I. NAMES OF ORDINANCES (two ordinances)

''Refuse Collection and Disposal Utility'' - Title 17, Chapter 3 as amended by Ordinance 12.026 on August 6, 1968 (will be cited as 17.3.)
''Trash Haulers and Hauling'' - Title 10, Chapter 35 (will be cited as 10.35.).

II. GENERAL STATEMENT

1. Declaration of Policy

a. To assist in maintaining general sanitation and health by collecting, transporting and delivering for disposal, and disposing of in a safe and sanitary manner, all garbage, rubbish and trash. (17.3.01)

b. To safeguard and protect the public health, safety, property and welfare by establishing and enforcing standards and controls over vehicles, and the drivers in charge thereof, used to haul garbage, refuse, rubbish or trash on, over, across, and along the public streets and thoroughfares of the city to ensure the safe, sanitary and lawful movement of said vehicle and its cargo from point of origin to point of destination. (10.35.01)

2. Definitions

a. Refuse - includes all putrescible and non-putrescible solid wastes, including garbage, rubbish, trash, animal offal, ashes, tree limbs, yard clippings, grass cuttings, yard cleanings, leaves, and solid market and industrial wastes, but not including body wastes, automobile frames, large bulky objects, dirt, rocks or debris.

b. Garbage - includes all putrescible wastes from kitchens, pantries, dining rooms, or other parts of hotels, restaurants, boarding houses, tenement houses, dwelling houses, markets, butcher shops, poultry houses, produce houses, factories and any other places where meats, fish, fowl, fruit, or vegetables are prepared for food for immediate consumption and all household waste containing organic matter, that is, will be or was used as food or from preparation of food.

c. Rubbish - includes other worthless or offensive matter such as paper, tin cans, bottles, glass containers, rags, animal excreta, and other similar materials, the accumulation of which may create a nuisance or be deleterious to public health or offensive to sight or smell.

d. Trash - includes solid wastes such as ashes, tree limbs, yard clippings, etc. excessive amounts of paper, cans, bottles, or household rubbish and all other things of a similar nature.

e. Non-collectable waste - includes poisons, acids, caustics, explosives, body wastes, automobile frames, large bulky items and materials that may cause damage to collection equipment or personal injury to collectors as well as dirt, rocks or debris. Animal excreta not tightly wrapped is non-collectable as is any garbage or trash mixed in with non-collectable items.

f. Undue accumulation - includes accumulation of garbage, rubbish, or trash in amounts exceeding the capacity of the waste receptacle provided for same at the pickup point or at the point of disposal. (17.3.03)

III. ADMINISTRATION

1. Responsible Agency

Department of Public Works, Sanitation Division.(17.3.01)

2. Functions and Powers

To supervise general execution of all solid wastes regulation. (17.3.01)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Each new occupant shall notify the Department at the beginning of such occupancy to request pick-up service. (17.3.05)

b. Containers shall be of substantial galvanized metal or plastic construction, fly-tight, and provided with handles on the sides and tight-fitting cover with handles. Containers must be between 20 and 32 gallon capacity and no single receptacle shall weigh more than 75 pounds when filled. Disposable waterproof paper bags may also be used. (17.3.06A)

c. Owners or occupants of premises must provide sufficient number of containers for storage of garbage and rubbish between collections. (17.3.06B)

d. Trash will also be collected if securely contained in appropriate receptacles. (Section 9 of amendment)

e. Non-collectable wastes shall not be placed with refuse for collection but shall be disposed of directly and promptly by owner or occupant of premises where material is accumulated. (Section 9 of amendment)

f. Any vehicle used to haul garbage, wet or dry, shall be of a type capable of being fully enclosed in a manner to prevent the escape therefrom of any noxious or disagreeable odors, or the escape of any of the contents of such vehicle. Said vehicle shall be capable of being completely emptied and cleaned. (10.35.07)

g. Any vehicle whose use is intended for dry wastes such as trash, rubbish, empty boxes, papers, grass and tree trimmings, cans, bottles and all similar material may be of open body type, but shall be equipped with eye hooks, cleats, or other similar hold-fast facility fixed to sides and ends of the vehicle to prevent blowing off, spilling or scattering of same along route of the haul. (10.35.80, 10.35.17, and 17.3.08B)

2. Prohibited Activities

a. It shall be unlawful for owner to rent any premises to be occupied by more than one family without providing the services required by this chapter. (17.3.04)

b. It shall be unlawful for collectors to enter houses, gates, fences, enclosed areas, etc. to make collections.

c. It shall be unlawful for any person, firm, or corporation to deposit for collection on any street or any private property any waste paper, cans, or other rubbish without placing same in enclosed receptacle or container. (17.3.04)

d. It shall be unlawful to remove or transport any garbage, refuse, or rubbish without authorization of the Health Department (17.3.08A) and obtaining a permit. (17.3.08B and 10.35.04)

e. It shall be unlawful to discharge, dump or empty any contents of any vehicle except at a location approved by the City. (10.35.18)

V. ENFORCEMENT

1. Requirements for Permits

a. Any vehicle used for hauling trash, rubbish, and garbage must be approved by the City Health Director. (10.35.02)

b. Anyone qualified as driver may obtain license after payment of fees. (10.35.13-15)

2. Inspection Procedure

Approval of Health Department after inspection before beginning business necessary and future inspections may be made. (10.35.05)

3. Liability for Violators

a. Anyone who fails to follow these regulations shall be deemed guilty of an offense. Each day is a separate offense. (17.3.12)

b. Sanitary Officers and Police Officers may make arrests for violation of this Chapter. (17.3.13)

BEAVERTON, OREGON

I. NAME OF ORDINANCE

Ordinance No. 1458, October 6, 1969 as amended by Ordinance No. 1502 January 19, 1970.

II. GENERAL STATEMENT

1. Declaration of Policy

This is an ordinance regulating refuse and garbage collection, hauling disposal, and establishing license and collection standards.

2. Definitions

a. Refuse - solid wastes.

b. Garbage - includes all putrescible waste, except sewage and body body wastes, including waste that attends the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruit and vegetables, and all cans, boxes, cartons, papers or other objects which have food or other organic materials of any nature in or adhering thereto; and shall include all such wastes or accumulation of vegetable matter of residences, restaurants, hotels, and places where food is prepared for human consumption. The term ''garbage'' does not include recognized industrial by-products.

c. Rubbish - includes refuse other than garbage (tin cans, bottles, ashes, paper, pasteboard, cardboard or wooden boxes, brush, weeds, leaves and cuttings from trees, lawns, shrubs, and garden or other waste materials provided in the normal course of living.)

d. Poisonous Materials - include poison grain, insecticides or insecticide containers or other similar materials. (Section 1)

III. ADMINISTRATION

1. Responsible Agency

City Council

2. Functions and Powers

a. To approve of all changes in collection boundaries or fees (Section 7) (Note - there are now 5 collection areas with one collector in each area).

b. To cancel and annul collector's license. (Section 15)

c. To supervise and approve of all work done. (Section 4)

3. Relationship to State Program

Disposal facilities must be in a manner approved by State Sanitary Authority and State Board of Health.

V. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Collectors shall serve private residences at least once a week and all hotels, restaurants, grocery stores, meat markets, hospitals and other similar establishments daily except Sundays and holidays. (Section 2)

b. Collectors shall furnish and maintain their own dumping and disposal facilities. (Section 2)

c. All wet or offensive garbage shall be collected by 11:00 a.m. on day of collection, and between 5 and 8 p.m. on days preceding legal holidays. Collectors shall collect garbage from establishments having garbage which may become foul or offensive by being kept over the holiday. Collection shall respond to all calls for special collection within three days. (Section 4)

d. All equipment used for garbage and rubbish must be covered and if used for liquids, it must be water tight and drip-proof and have a metal body. All equipment must be kept clean at all times and there shall be sufficient equipment on hand at all times. (Section 4)

e. Any person may haul his own garbage or refuse and dispose of it in a lawful manner but he may not receive compensation for it. He must prevent spilling, leaking or dripping upon the city streets. (Section 5)

f. Each collector shall maintain adequate books and records. (Section 11

g. All rates charged shall be reasonable and not exceed those set by the city. (Section 14)

h. Collectors shall maintain at their own cost a garbage bill paying station where collectors may be reached by the public and maintain a telephone listing. (Section 18)

2. Prohibited Activities

a. It shall be unlawful for any person to permit refuse to be scattered upon the streets of the city.

b. It shall be unlawful for any person, firm or association to collect, transport or dispose of refuse, garbage and rubbish for compensation without obtaining a license. (Section 5)

V. ENFORCEMENT

1. Requirements for Permits, etc.

a. Each person who is now or will be a collector shall be granted a license upon his acceptance in writing of terms and conditions of this ordinance. All licenses expire on June 30, 1973 (Note - 10 years after ordinance went into effect). (Section 9)

b. Fee of three percent of gross receipts charged to each collector for right and privilege to carry on collection business. (Section 11)

c. License is non-transferrable. (Section 12)

2. Inspection Procedures

All records of collector shall be open to audit by city at any time. (Section 11)

3. Liability for Violators

If collector should fail to fulfill any or all of the terms of this ordinance, the city has right to cancel and annul license. (Section 16)

4. Administrative Proceedings

a. All changes in boundaries or fees must be approved by City Council. Requests are made by formal letter. (Section 7)

b. If City, at any time, deems it advisable to operate a municipal collection service, it reserves the right to purchase one or more of the businesses operating within the city. Six months notice shall be given to each collector involved and purchase shall be made on basis of a negotiated rate per collection stop and current land value of disposal property. (Section 10)

c. If before the City can cancel or annul any license, the Council shall serve the collector with written notice stating where collector has failed in his duties and fixing a time not less than ten days after service when the matter will be heard before the Council. At the hearing, collector can be present in person, be represented by counsel, and present any evidence and witnesses as it deems advisable. Finding of the City Council shall be conclusive. (Section 16)

5. Penalties

Any person violating this ordinance shall be guilty of a misdemeanor and upon conviction may be fined not more than $100 or may be imprisoned for not more than 30 days or both. Every day such violation is committed shall constitute a separate offense. (Section 19)

6. Performance Bonds

a. Each collector must carry public liability insurance on each vehicle and on his operation of not less than $50,000 one person, not less than $250,000 on each accident, and not less than $50,000 property damage. Any license granted is conditioned upon licensee's indemnifying and saving harmless the City from any liability arising from any injury or damage as a result of the operation. (Section 13)

b. Corporate surety bond of $5,000 is also required. (Section 17)

DALLAS, OREGON

I. NAME OF ORDINANCE

Ordinance No. 805 - May 6, 1963.

II. GENERAL STATEMENT

Definitions

a. Ashes - include residue from burning of wood or other combustible materials

b. Garbage - includes putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

c. Refuse - includes all putrescible and non-putrescible solid waste (excluding ashes) consisting of both combustible and noncombustible wastes such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials. (Section 1)

III. ADMINISTRATION

Responsible Agency

a. City Health Officer

b. City Council

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

Franchise holder shall make its services available to all inhabitants and may make reasonable charges. (Sections 9 and 10)

a. Storage

Containers shall be water tight, have tight-fitting covers, suitable handles and be maintained in sanitary condition and in good repair (Section 2)

b. Transportation

All vehicles shall be kept in clean and sanitary condition at all times; in good and safe operating condition and protected against spilling or littering.

c. Disposal

Inhabitants have right to use disposal site at reasonable charges. (Section 13)

2. Prohibited Activities

a. It shall be unlawful to allow garbage, putrescible refuse or dead animals to remain undisposed for longer than seven days. (Section2)

b. It shall be unlawful for refuse to be placed upon any public or private property except in proper containers. (Section 3)

c. It shall be unlawful for refuse to be placed in any body of water. (Section 3)

d. It shall be unlawful for any person to transport refuse unless it is in a water-tight container although imputrescible substances may be conveyed if adequate provision made against spillage and littering. (Section 4)

e. It shall be unlawful for any person to permit refuse to be left upon streets while transporting said refuse. (Section 5)

f. It shall be unlawful to burn garbage or putrescible refuse.

g. It shall be unlawful to haul or collect refuse without a franchise.

V. ENFORCEMENT

1. Requirements for Franchise

a. City has right to grant exclusive franchise for collection and removal for term of up to ten years.

b. Council shall consider following in granting a franchise.

(1) knowledge of applicant of the business.

(2) ability to furnish required equipment and personnel.

(3) financial responsibility.

(4) capacity to idemnify city for failure to fulfill terms of franchise or against any injuries sustained in performance of such franchise.

(5) prior experience of applicant in operation of business of refuse collection and disposal.

(6) ability of applicant to provide suitable disposal site.

c. If there is more than one qualified applicant, franchise shall be granted to applicant offering most favorable financial return to the City.

d. Proposed rates shall be included in application. (Section 10)

2. Liability for Violators

a. When vehicles of franchise holders are not sanitary or in safe operating condition, the City Council may order the vehicle removed from service until necessary corrections made. (Section 12)

b. Franchise holder will be notified of all violations, and if they are not corrected within 15 days, City Council may terminate the franchise. (Section 15)

3. Penalties

Violation of this ordinance is a misdemeanor punishable by a fine not to exceed $100 and/or imprisonment not to exceed 50 days. Each violation is a separate and distinct offense. (Section 16)

4. Insurance

a. Bodily injury

$ 50,000 - one person
$200,000 - each accident

b. Property damage

$50,000 damage to property (Section 11)

ABINGTON, PENNSYLVANIA

I. NAME OF ORDINANCE

Ordinance No. 774 - February 10, 1955.

II. GENERAL STATEMENT

Definitions

Refuse - includes all solid wastes of a community, including garbage, ashes, rubbish, bottles, cans and solid market wastes, but not including body wastes. (Section 1)

III. ADMINISTRATION

1. Responsible Agency

   Department of Public Health (Section 2)

2. Functions and Powers

   a. To implement and enforce ordinance.

   b. To control storage, collection and disposal of refuse.

   c. To provide public refuse collection and disposal system.

   d. To approve and regulate private systems.

   e. To adopt any necessary regulations.(Sections 2 and 10)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Owner or occupant of premises shall be responsible for sanitary condition. (Section 5a)

   b. Any person responsible for refuse on premises not served by public collection system or refuse not acceptable for collection shall make arrangements with private collector who holds a valid license. (Section 5b)

   c. Garbage, ashes and rubbish are acceptable for collection. (Section 8)

   d. Poisons, acids, explosives, infected materials, materials from repair or excavation, and solid wastes from industrial processes are not acceptable for collection. Also materials which are not properly prepared are not acceptable for collection. (Section 9)

   e. Department of Public Health can issue regulations as necessary to implement and enforce the provisions of the ordinance. (Section 10)

2. Prohibited Activities

It shall be unlawful for any person to deposit or allow to be deposited on his premises any refuse except under the provisions of this ordinance. (Section 5)

V. ENFORCEMENT

1. Requirements for Permits

   a. Permit required to engage in business of refuse collection or disposal.

   b. Permit limited to persons with proper equipment and personnel.

   c. Department of Public Health shall issue permit upon approval of application.

   d. Any person whose application was denied may request a hearing before the Department of Public Health.

   e. Permits expire at the end of each calendar year and are renewable annually. (Section 4)

2. Inspection

Department shall have power to enter at reasonable times upon public or private property to investigate conditions relating to enforcement of this ordinance. (Section 4)

3. Administrative Proceedings

   a. Whenever the Department determines that there has been a violation, it shall give notice of such alleged violation to the persons responsible. Such notice shall be in writing, include statement of reasons, allow reasonable time for performance of any act it requires and be properly served. The notice may contain an outline of remedial action which, if taken, will effect compliance and also state that unless corrections are made within a reasonable time, the permit may be suspended or revoked.

   b. Any person affected by a notice may request a hearing before the Department. Such request with statement of grounds therefore must be filed within ten days after service of the notice. The hearing shall be set within ten days after the filing of the petition but may be postponed for a reasonable time if petitioner so requests and he has reasonable grounds for the request. At the hearing, the petitioner shall be given an opportunity to be heard.

   c. After such hearing, the Department shall sustain, modify or withdraw the notice. If the notice is sustained or modified, it shall become an order. Any notice will become an order if a petition for hearing is not filed in ten days. If the notice requires permit suspension or revocation, such suspension or revocation shall become effective if necessary corrective action is not taken in the specified time period.

d. All hearing proceedings, orders, and notices shall be put in writing and entered into the public record, and any person aggrieved by the decision of the Department may seek relief from a court of competent jurisdiction.

e. In the case of an emergency, the Department may issue an order without a notice or hearing. If necessary corrective action is not taken, the Department may take such action as is necessary to protect the public health. Such an order is effective immediately; all persons must comply with the order immediately, but a hearing shall be afforded within three days after filing of the petition. (Section 6)

4. Penalties

Fine of not more than ten days with each day of violation being a separate offense. (Section 11)

5. Insurance

Adequate insurance coverage must be shown with permit application. (Section 4e)

TUCSON, ARIZONA

I. NAME OF ORDINANCE

''Refuse Collection and Disposal,'' - Chapter 14 of Tucson City Code. (Ordinance 2702) January 18, 1965.

II. GENERAL STATEMENT

1. Declaration of Policy

This ordinance controls collection and storage of refuse.

2. Definitions

a. Debris - includes abandoned vehicles, automobile frames, and left over, superfluous, disposable, or unwanted material resulting from construction, reconstruction, repair, demolition or clean-up of premises, that is not trash.

b. Garbage - includes all animal and vegetable wastes resulting from the handling, preparation, cooking, or consumption of foods or other worthless offensive matter, the accumulation of which may create a nuisance or be deleterious to public health or offensive to sight or smell, that is not trash.

c. Refuse - includes all putrescible and non-putrescible solid wastes, including garbage, animal offal, rubbish, trash, wastes, but not including body wastes or debris.

d. Class I Trash - includes all non-putrescible solid wastes such as cinders, ashes, wastepaper, excelsior, rags, wooden boxes, cardboard boxes, or paper boxes, bottles, broken ware, tin cans, metal scraps, small mechanical parts, shavings, floor sweepings (excluding dirt floors).

e. Class II Trash - includes all non-putrescible solid wastes such as tree trimmings, tree limbs, yard clippings, grass cutting, palm fronds, weeds, shrubs, and brush.

f. Waste - includes unwanted or superfluous matter. (Section 14-1)

III. ADMINISTRATION

1. Responsible Agency

Director of Public Works (Section 14-2)

2. Functions and Powers

a. To implement and enforce this chapter for promotion of public health and safety; to regulate and control the storage, collection and disposal of refuse; and to provide a public refuse disposal site or sites for refuse by establishing, maintaining, and operating such sites. (Section 14-2)

b. Regular inspections of containers and receptacles by the Public Works Department shall be made to secure compliance with this chapter. (Section 14-0)

c. Director may issue citations for violations of this chapter. (Section 14-19)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Each occupant or owner must provide adequate water-tight containers with cover and handles sufficiently strong to be emptied conveniently. The maximum capacity is 32 gallons, and maximum weight when full is 75 pounds. These shall be kept in good sanitary condition. (Section 14-3A)

b. Class I trash containers shall conform to same requirements as garbage containers. (Section 14-33)

c. Class II trash shall be placed in a neat and orderly manner near containers, but garbage containers need not be provided. The trash may be placed in wooden or cardboard boxes. Tree branches and limbs shall be cut into six-foot lengths, and trunk sections shall not weigh more than 75 pounds for any one section. (Section 14-3C)

d. Each commercial establishment shall have refuse containers as provided for residential refuse. (Section 14-4A)

e. If amount of commercial refuse is excessive, large metal containers of a type compatible with city collection equipment and approved by the Director may be used. The capacity shall be between one and eight cubic yards. (Section 14-4B)

f. Special refuse

(1) All large boxes, cartons, and crates shall be collapsed.

(2) Ashes shall be placed in separate metal containers and soaked with water where necessary.

(3) Explosives, caustics, acids, poisons, and medical material which may be infected shall be placed in separate container painted yellow. No other container should be painted yellow. (Section 14-5)

g. Body wastes shall not be placed with refuse; however, domestic pet wastes may be placed with refuse if it is securely wrapped. (Section 14-6)

h. Covers of containers shall be tight so that flies or other insects do not have access to the contents. (Section 14-7)

i. Placement of containers depends on location of house - usually in front of premises or next to street or alley. Containers shall not be permitted to remain adjacent to the street except on regular collection days. (Section 14-8A)

2. Prohibited Activities

   a. It shall be unlawful to keep any refuse unless it is in authorized containers. (Section 14-11)

   b. It shall be unlawful to deposit any refuse on any street, alley, or premises unless authorized. (Section 14-11 and 14-14)

   c. It shall be unlawful to burn refuse in streets and alleys. Trash may be burned in private incinerator if permit issued by Fire Prevention Bureau. No garbage or other material which would create offensive, obnoxious fumes and/or odors should be burned. (Section 14-13)

   d. It shall be unlawful to haul refuse unless contained in vehicle so constructed as to prevent falling, spillage or leaking. Any refuse which has fallen while being hauled shall be immediately replaced. (Section 14-13)

   e. It shall be unlawful for any unauthorized person to remove the cover of a container to look for material. (Section 14-14)

   f. It shall be unlawful to use another person's containers without that person's permission. (Section 14-15)

   g. It shall be unlawful to permit accumulation of weeds, garbage, trash, or other refuse on the premises. (Section 14-16)

ENFORCEMENT

1. Requirements for Permits

2. Inspection Procedure

   The Public Works Department may make regular inspections of garbage containers and trash receptacles. Commercial establishments may be entered to accomplish this.

3. Liability for Violators

   a. If violations of container regulations are not corrected within

15 days after notice, the Director may impound the defective containers and collect from the owner or occupant the costs of impounding. (Section 14-9)

b. If violations of requirement to remove refuse continue 15 days after notice, the Director may remove such refuse at the expense of violators. (Section 14-17 and 14-18)

c. The Director may issue citations for violations of the chapter. (Section 14-19)

4. Administrative Proceedings

a. If violations of container regulations are noticed, notice shall be given by attaching notice marked ''condemned'' to defective containers. (Section 14-9) See Section V 3a.

b. Notice for violation of accumulation of refuse may be given by either personal service, written notice (by registered mail to last known address) or placing notice on conspicuous place on premises. (Section 14-18) See Section V,3b.

c. If the Director causes refuse to be removed, a verified statement of costs shall be mailed to the violators who shall be held for the payment of such costs.

5. Penalties

Any violation may be punished by imprisonment not to exceed six months or fine not to exceed $300.00 or both. Every day of violation shall constitute a separate offense. (Section 4, Ordinance 2702)

BLUFFTON, INDIANA

I. NAME OF ORDINANCE

Disposal of Garbage and Rubbish - Ordinance No. 388
July 13, 1966.

II. GENERAL STATEMENT

1. Declaration of Policy

An ordinance regulating the public disposal of garbage and rubbish on any land within city limits, requiring permits and providing penalties for violations thereof.

2. Definitions

a. Garbage - includes rejected food wastes including every waste accumulation of animal, fruit, or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables. (Article 1, Section 101)

b. Rubbish - includes ashes, cans, metalware, broken glass, crockery, dirt sweepings, boxes, wood, grass, weeds, or litter or any kind. (Section 102)

c. Public Disposal - includes disposal of garbage and rubbish which has been removed from premises used, owned, or leased by one or more persons, firms, corporations or associations, and transported to other premises and disposed either with or without the payment of a fee. (Section 103)

d. Sanitary Landfill - a method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals as necessary. (Section 104)

e. Ground Water - water in the ground that is in the zone of saturation. (Section 108)

f. Surface Water - water whose top surface is exposed to the atmosphere including a flowing body as well as a pond and a lake. (Section 112)

g. Salvaging - controlled removal of reusable materials. (Section 110)

h. Scavenging - uncontrolled picking of materials. (Section 111)

i. Hazardous Material - includes, but not limited to, explosives, pathological wastes, radioactive materials and chemicals. (Section 112)

j. Refuse - includes any combination of garbage and rubbish. (Section 113)

III. ADMINISTRATION

1. Responsible Agency

Wells County Health Officer (Section 105)

2. Functions and Powers

a. To issue permits to engage in public disposal and also power to temporarily suspend. (Section 201)

b. To review plans and specifications for new dump sites. (Section 204)

c. To inspect at least once a month each garbage and rubbish disposal site and report all violations. (Section 301 and 415)

d. To issue permits to operate disposal site which is subject to approval by health officer after inspection. (Section 401)

e. To enforce this ordinance. (Section 501)

IV. SCOPE OF LEGISLATION

1. Prohibited Activities

It shall be unlawful for any person to engage in public disposal of garbage or rubbish who does not possess an unrevoked permit from the health officer. (Section 201)

2. Approved Operations of Facilities (Article 4)

a. Each site shall be inspected at least once a month. If a violation is discovered, a second inspection is made after sufficient time to remedy the defect. If the defect still exists, permit shall be suspended or revoked. (Section 301)

b. Sanitary landfills shall be designed and operated so that pollution will not be created and injury to ground and surface waters avoided which might interfere with legitimate water uses. (Section 420)

c. All materials considered food for rodents and insects including tin cans and other receptacles for food, shall be disposed of daily in a sanitary manner, by a sanitary landfill. (Section 403)

d. Salvaging, if permitted by operator, shall be organized so as not to interfere with prompt sanitary disposal of refuse or create unsightliness or health hazards. Scavenging is not permitted. (Section 404)

e. No garbage or rubbish containing garbage may be burned at a sanitary landfill. Burning of select materials shall be severely restricted to designated areas and only with permission of health officer. These materials may only be combustible rubbish, completely devoid of garbage. (Section 405)

f. All persons engaged in disposal by sanitary landfill shall have available at all times earth-moving equipment of adequate size and capacity to satisfactorily operate such sanitary landfill. An all-weather road shall be provided to the trench or sanitary landfill site. (Section 406)

g. There shall be no garbage available for animal consumption at any public garbage and rubbish disposal site. (Section 407)

i. The entire site shall be graded and provided with drainage facilities to minimize runoff, prevent erosion, and prevent collection of standing water. (Section 410)

j. Measures shall be provided to control dust and blowing paper. Entire area shall be kept clean and orderly. (Section 411)

k. All modifications of rules shall be in writing from the health officer. (Section 412)

l. Garbage and rubbish shall be spread so it can be compacted in layers not exceeding depth of two feet of compacted material. (Section 413)

m. Layer of suitable cover material compacted to at least two feet in thickness shall be placed over each portion not later than one week after final placement of refuse. (Section 414)

n. Any other method of solid waste disposal not covered by these rules shall be reviewed by Health Department with reference to nuisance factor, safety of employees and protection of public health. (Section 416)

V. ENFORCEMENT

1. Requirements for Permits

a. Permits shall be issued by health officer. (Section 201)

b. Prior to issuance of permit, detailed plans and specifications shall be submitted and approved. (Section 204 and 401)

2. Inspection Procedure

Health officer shall inspect each site [illegible] least once a month. (Section 301)

3. Liability for Violators

Infestation of rodents and insects on premises of a public disposal site shall constitute a violation of this ordinance. (Section 408)

4. Administrative Proceedings

   a. Permit may be temporarily suspended by the health officer upon violation of any of the terms of this ordinance, or revoked after an opportunity for a hearing by the health officer upon serious or repeated violations. (Section 408)

   b. If after monthly inspection, a violation is noticed, the health officer should give notice of the defect. A second inspection will be held after sufficient time to remedy the defect. If the defect still exists, the permit shall be suspended or revoked. (Section 301)

   c. Enforcement of this ordinance shall be by health officer. (Section 501)

   d. It is duty of city attorney to commence proceedings against the persons against whom the health officer has reported violations. (Section 501)

5. Penalties

Fine of up to $300 to which up to 90 days of imprisonment may be added. Each day is a separate and distinct offense. (Section 601)

CHESTERFIELD TOWNSHIP, MICHIGAN

I. NAME OF ORDINANCE

Chesterfield Township Landfill Ordinance - November 18, 1967.

II. GENERAL STATEMENT

1. Declaration of Policy

The purpose of this Ordinance is to preserve the public health, safety and welfare by prevention of nuisances and hazards resulting from the creation of hazardous or noxious conditions. (Section 2)

2. Definitions

a. Non-putrescible materials - includes waste discards, dry rubbish, cardboard, wood, lumber, paper products, brick, concrete, steel shavings, metal, plastics, leather, manufactured materials not including oil, petroleum products, paint, liquid chemicals or paint sludges.

b. Putrescible materials - include garbage, produce, food products, fruit, vegetables, chemicals, oil, petroleum products, paints, liquid chemicals and paint sludge.

c. Mean grade - arithmetic average of elevations of points on the plot plan that will result upon completion of the proposed operation for which the permit is issued.

d. Finish grade - includes those earth elevations established and delineated on the plot plan that will result upon completion of the proposed operation for which the permit is issued.

e. Existing grade - includes the various elevations of the surface of the land as it actually exists upon the site. (Section 4)

III. ADMINISTRATION

1. Responsible Agency

Ordinance enforced by the Township Supervisor. (Section 3A)

2. Functions and Powers

a. To issue permits after hearing before Planning Commission. (Section 4D, 5B1, and 5C1)

b. To inspect landfill (Section

IV. SCOPE OF LEGISLATION

1. Prohibited Activities

It shall be unlawful for any person to deposit any materials upon the land without a permit. (Section 5A)

2. Approved Operations of Solid Waste Facilities.

a. No landfills if it will cause a nuisance, hazard to public safety, flood damage, depletion of Flood Plain District and resulting reduction of highway containment, significant reduction of nearby property values, or pollution of water. (Section 6A)

b. Hours of operation allowed only between 7:00 a.m. and 7:00 p.m. (Section 6B1)

c. All unpaved roads shall be regularly chlorinated, and all public access roads shall be kept free of debris. (Sections 6B2 and 6B3)

d. Premises shall be regularly graded to prevent collection of standing water. (Section 6B5)

e. On completion of fill,finished grade shall be composed of and provide a minimum of one foot of earth materials of such quality to be capable of growing turf, vegetation of crops.

f. For non-putrescible landfills, plans and method of operation shall be approved by State Health Commissioner and proper license issued. All fill materials shall be covered each day with sufficient earth materials to prevent emission of odors or vapors. (Section 6D)

g. For putrescible landfills, entire premises shall be completely enclosed by fence at least six feet in height which shall be kept in good condition and removed at completion of the operation. (Section 6E)

V. ENFORCEMENT

1. Requirements for Permits

a. Written application shall be made to Township Board. (Sections 5B1 and 5D)

b. Application shall be accompanied by detailed plot plan.

2. Inspection Procedure

Operators of fills shall consent to reasonable inspection by duly authorized personnel without prior notice. (Section 6B6)

3. Liability for Violators

   a. A violation of any provision is a misdemeanor. (Section 7A)

   b. Any excavations or removal of earthen materials in violation of this ordinance is declared to be a nuisance per se. (Section 7B)

4. Administrative Proceedings

   a. Planning Commission will hold public hearings on permit application after giving public notice of hearing. (Section 5C1)

   b. Commission shall consider effect of proposed fill on adjoining general vicinity; charter and use of adjoining lands; depth of water table; availability and adequacy of surface water; period of time of operation; avenues of ingress and egress; proposed hours of operation; whether perimeter fencing is needed; and any other appropriate factors. (Section 5C2)

   c. Permits may be suspended for up to 21 days for violating ordinance but must consider case at next regular meeting to decide if it is to be reinstated, suspended further or revoked. (Section 4E)

5. Penalties

   Upon conviction, person shall be subject to fine of up to $100 or up to 90 days in jail or both. Each day of violation is a separate and distinct offense. (Section 7A)

6. Performance Bonds

   When permit is issued, a performance bond must be posted. Amount is to be determined by Township Board. (Sections 4D and 6B7)

7. Injunctive Powers

   Any continuing violation of the ordinance may be enjoined by a Court of competent jurisdiction. (Section 7)

IRONDEQUOIT, NEW YORK

I. NAME OF ORDINANCE

Ordinance Regulating the Operation of Refuse Disposal Areas
June 7, 1962.

II. GENERAL STATEMENT

1. Declaration of Policy

   To regulate the operation of refuse disposal areas known as sanitary landfill sites and to prohibit the dumping of refuse except at such sites. To prohibit operation of refuse disposal areas except with consent of Town Board. (Section 1)

2. Definitions

   a. Refuse - includes garbage, trash, rubbish and similar materials.

   b. Dispose - dump, deposit, throw, throw away by a person or by another with the consent or approval, active or passive, of a person in a position to control or prevent it.

   c. Sanitary landfill - disposal area conducted in compliance with prescribed regulations. (Section 2)

III. ADMINISTRATION

1. Responsible Agency
   Town Board (Section 3)

2. Powers and Functions

   a. To issue permits (Sections 3 and 4)

   b. To revoke permits (Section 7f)

   c. To maintain action against person to impel compliance or restrain by injunction, (Section 7c)

IV. SCOPE OF LEGISLATION

1. Prohibited Activities

   a. It shall be unlawful for any person to dispose of any refuse on any land or site unless such land had been approved as a sanitary landfill area. (Section 3)

   b. It shall be unlawful to burn or allow burning of any refuse or other material at a sanitary landfill site. (Section 6e)

c. It shall be unlawful to scavenge or allow scavenging at a sanitary landfill site. (Section 6f)

2. Operations of Solid Waste Facility

a. Closing hour of landfill shall be early enough to allow for complete covering of all refuse delivered for disposal during the day. (Section 5b)

b. All refuse delivered in a single day shall be delivered at one designated location in the landfill area. (Section 5c)

c. The deposited refuse shall be smoothed out by earth moving equipment until all objects are crushed and entire mass is blended. Then a cover compact of at least six inches in thickness shall uniformly and completely cover the refuse at the end of each day's operation. When an area has been completely filled, a final layer of soil fill at least two feet thick shall be uniformly placed over entire area. (Section 5d)

d. There shall be no burning or scavenging at the sanitary landfill site. (Section 5c and 5f)

V. ENFORCEMENT

1. Requirements for Permits

Application shall be made to Town Board with applicant stating background and plans for operation of sanitary landfill. A statement from a civil engineer shall be enclosed stating that soil on proposed site is adequate, that general drainage pattern will not be affected; and that water will not become polluted. (Section 4)

2. Inspection Procedure

Any peace officer, town clerk, or Town Board member may inspect any landfill site to check for compliance with regulations. (Section 6i)

3. Liability for Violators

Any one who violates the provisions of this Ordinance shall be deemed to have committed an offense. Each day of said violation is a separate and distinct offense. (Section 7a)

4. Administrative Proceedings

a. Upon application for a permit the Town Board shall hold a public meeting after reasonable public notice to decide whether or not to grant said permit. (Section 4)

b. The Town Board may revoke any permit after a public hearing in which the operator shall have an opportunity to be heard. (Section 7f)

5. Penalties

a. Anyone violating this Ordinance shall be subject to a fine of no more than $100 or imprisonment for not more than 30 days or both. (Section 7b)

b. Anyone violating this Ordinance shall be subject to a civil penalty of $100 for each offense. (Section 7d)

c. Conviction of violation shall constitute and effect an immediate forfeiture of the license. (Section 7c)

6. Performance Bonds

Each operator shall deposit a bond in an amount to be determined by the Town Board to ensure completion of performance.

7. Injunctive Powers

Town Board can ask for injunction to prevent violation of this Ordinance.

OKLAHOMA CITY, OKLAHOMA

I. NAME OF ORDINANCE

Ordinance No. 11,700 - July 11, 1967.

II. GENERAL STATEMENT

1. Declaration of Policy

For the protection of the public safety, health, and welfare of the City of Oklahoma City, the operation of sanitary landfills shall be regulated in accordance with the provisions of this Ordinance. (Section 1)

2. Definitions

a. Sanitary landfill - the method of disposal wherein accumulations of refuse are thoroughly compacted and covered daily.

b. Refuse - includes all waste material, including waste material of animal, vegetable and mineral composition, subject to combustion, putrification shall include waste metal and glass, but shall not include common earth, rock or rock aggregate compounds.

c. Disposal Site - the location where any final treatment, utilization, processing or depositing of solid waste occurs.

d. Salvage - includes reclaimable solid waste, such as paper, metal, bottles, or other similar objects, saved for the purpose of sale.

e. Scavenge - The removal of salvage items from the refuse disposal sites, other than where the normal salvage operation is taking place, by personnel not employed by the landfill operator. (Section 2)

III. ADMINISTRATION

1. Responsible Agency

Director of Health Department (Section 2)

2. Functions and Powers

a. To issue permits. (Section 3)

b. To inspect completed landfill site before operations begin. (Section 6)

c. To inspect all landfill sites during operations. (Section 9)

d. To inspect all landfill sites after completion and one year thereafter. (Section 7v)

e. To revoke permits. (Section 9b)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

If there is contact of refuse with ground water table, owner shall have tests done by qualified laboratory semi-annually to see if water being contaminated beyond pollution standards. (Section 8)

2. Approved Operations of Solid Waste Facilities

a. Location cannot be within 600 feet of any property zoned and occupied for residential purposes, churches or schools unless written permission from those who own such property. (Section 7a)

b. Failure to comply with this Ordinance results in forfeiture of bond. (Section 7b)

c. Equipment shall be maintained on site in good working conditions. (Section 7c)

d. All weather access roads to site and loading area shall be provided. (Section 7d)

e. Access to site shall be limited to authorized personnel by means of fences and a locked gate. Hours of operations shall be posted. (Section 7e)

f. Adequate and sanitary shelter for personnel along with drinking water, toilet facilities etc. shall be provided on the site. (Section 7f)

g. There shall be a good operating communications system at the site plus adequate water or nearby fire department in case of fire. (Section 7g)

h. There shall be adequate drainage to minimize runoff into fill and prevent erosion of the fill. Surface of fill shall be smooth and grade to minimum slope of one to 100. Maximum slope of sides and top shall be one to two. (Section 7h)

i. No domestic animals shall be permitted at the site. (Section 7i0

j. Unloading of refuse shall be in clearly marked area with attendant on duty to direct it. There shall be some type of barrier to prevent scattering of material and area shall be cleaned up daily of such materials. (Section 7j)

k. Sewage solids, liquids and other similar or hazardous materials may be disposed of at site only if procedure approved by Director of Health Department. (Section 7k)

l. There shall be separate unloading area for bulky items. (Section 4e)

m. All burning is prohibited at site. (Section 7m)

n. Salvaging is permitted if materials kept at place not observable from road or residences. Scavenging is prohibited. (Section 7n)

o. Individual lifts shall be no greater than eight feet in depth, but each compacted layer shall not exceed two feet in depth. (Section 7o)

p. Cover material shall be ''sandy loam'' or of such character as to provide a light seal, not crack excessively when dry and free of putrescible materials and large objects. (Section 7p)

q. A daily cover of at least six inches shall be placed on all refuse expand at the end of the day. (Section 7q)

r. In all but final lift, an intermediate cover compacted to maximum depth of one foot shall be placed daily on all surfaces of the position of the lift that has been completed except those lifts in which operations will continue the next day. Weekly inspections of the intermediate cover shall be made and all cracked, eroded and uneven areas repaired. (Section 7r)

s. A final cover compacted to at least two feet in depth shall be placed over each position of final lift within one week after completion of placement of refuse. Monthly inspections shall be made and all cracked, eroded, and uneven areas repaired. (Section 7s)

t. Whenever required by Health Director, all site operators shall institute vector control and dust control methods. (Sections 7t & 7u)

u. There shall be inspections at completion of operations and one year later, and operation shall make all necessary repairs. (Section 7u)

V. ENFORCEMENT

1. Requirements for Permits, etc.

a. Permit from Director of Health is necessary to operate sanitary landfill site. (Section 3)

b. Written application, along with maintenance bond and engineering report signed by licensed engineer shall be presented to Director. Report shall include:

(1) A plan approved by Director of Planning and Director of Public Works showing location, all utilities, access roads, fences, and contain a map and description of all prominent topography.

(2) Engineering evaluation covering proposed method of operation including plans for filling of site, equipment to be used, estimate of duration of operations and finished contours, salvaging methods if it is to be allowed and soil report with all pertinent data.

2. Inspection Procedures

a. Upon completion of construction of site and prior to operation, Director of Health Department shall inspect site and decide if any corrective measures necessary. (Section 6)

b. Director may make any reasonable inspections during operation of site to see if standards are being complied with. (Section 9a)

c. Upon completion of operations and again one year later, the Director shall inspect the site and order any corrective measures he feels are needed. (Section 7v)

3. Liability for Violators

a. After construction and prior to operation, if necessary corrective measures ordered after inspections are not made, the maintenance bond may be forfeited. (Section 6)

b. Permit may be teovked if order not complied with and no appeal made. (Section 9b)

c. If the Solid Wastes Board of Review and Appeal's orders are not complied with, the Board shall recommend to City Council that bond be forfeited and site operations abated as a public nuisance. (Section 9f)

4. Administrative Proceedings

a. If as a result of inspections, the Director of Health Department determines that Ordinance is being violated, he shall give notice by certified mail to operator of site giving in detail the sections of Ordinances being violated, what needs to be done to correct them and a reasonable time limit to do so or appeal the order. If order not complied with and no appeal made within time limit, Director shall revoke permit.

b. Solid Wastes Board of Review and Appeal established to provide for reasonable interpretation of this Ordinance. There are five members, with at least one registered civil engineer and one practicing physician. Board has jurisdiction to hear and determine in accordance with standards of this Ordinance any appeal brought before it. It shall have the power to sustain, rescind or modify any order and issue any other order it finds warranted by the evidence.

c. Hearings shall be public, and any person may request such a hearing on or before last day allowed by order or if not time provided, within 20 days after service of order. Hearing shall be at least ten days after request, and until hearing held all legal proceedings and landfill operations shall be halted.

d. When reinspection shows continuing violation or when appeal from order is rejected, then Board shall immediately recommend to City Council that the bond be forfeited and all site operations abated as a public nuisance. (Section 9)

5. Penalties

Any person who violates this Ordinance shall be deemed guilty of an offense and upon conviction be fined not more than $19 plus $1 in addition to any and all other penalties provided by law. Each day's violation is a separate offense. (Section 10)

6. Performance Bonds

Maintenance Bond shall be equal to $200 per acre of landfill site and shall be kept in full force and effect for one year following completion of operations at the site.

FAIRBANKS, ALASKA

I. NAME OF ORDINANCE

Article II. Collection of Garbage, Fairbanks Code - Ordinance No. 1069 March 10, 1961.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes animal or vegetable wastes which arise from the use, preparation, or storage of food for human consumption, not including wastes from industrial processes and manufacturing operations.

b. Rubbish - includes nonputrescible material from residential, commercial, and institutional property such as paper, cartons, boxes, barrels, wood excelsior, bedding, furniture, metal, tin cans, dirt, glass, crockery, and miscellaneous mineral refuse not including gravel, sand, earth, building material, industrial wastes, and yard and tree trimmings.

c. Ashes - Residue from fires used for cooking and for heating buildings. (Section 12.201)

III. ADMINISTRATION

1. Responsible Agency

City Health Officer and City Manager

2. Functions and Powers

a. To issue refuse collector's license. (Section 12.203)

b. To make rules and regulations relative to the collection, storage and disposal of waste matters. (Section 12.208)

c. To investigate all complaints. (Section 12.210a)

d. To periodically inspect the manner in which garbage and rubbish is being collected and disposed of and to initiate necessary enforcement action. (Section 12.210b)

e. To submit to the City Council a summary report on the status of garbage accumulation, handling and disposal. (Section 12.210d)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All persons shall dispose of garbage, rubbish and ashes through the regular services of a licensed refuse collector. (Section 12.202a) Any person desiring to dispose of garbage, rubbish or ashes may be granted an exemption. (Section 12.202b)

b. Garbage shall be kept in a metal receptacle with a tight-fitting cover. (Section 12.204a)

c. Garbage receptacles shall be of not more than 30 gallon capacity and shall not project from the lot line more than three feet. (Section 12.204b)

d. Every person shall maintain premises in a clean and sanitary condition. (Section 12.204c)

e. Every owner shall provide containers which are strong, watertight, not easily corrodible, rodent proof and insect proof. Each container shall be kept in a place reasonably accessible to the collector. (Section 12.204d)

f. Garbage shall be transported in a covered, watertight, and drip-proof vehicle equipped with a metal box with welded seams. Garbage hauling vehicles shall be thoroughly washed or treated daily. No person shall operate a garbage truck within the business district between the hours of 10:00 a.m. and 12:00 p.m. of each day. (Section 12.205)

g. The city council may award contracts for garbage collection and disposal. (Section 12.206c)

h. The city shall provide and maintain dumping areas. (Section 12.209)

2. Prohibited Activities

a. It shall be unlawful to keep any garbage, rubbish, burned lumber, etc., upon any street or any other grounds. (Section 12.204e)

V. ENFORCEMENT

1. Requirements for Licenses

a. No person shall operate as a refuse collector without first obtaining a license. (Section 12.203a)

b. The fee shall be as provided by section 1.115,and the license shall be for the duration of five years. (Section 12.203b)

c. The license is nontransferable. (Section 12.203j)

2. Inspection Procedure

The city health officer shall periodically inspect the manner in which any licensee is collecting, hauling and disposing of garbage and rubbish. Upon failure to correct any violation, he shall initiate necessary legal action. (Section 12.210b & c)

3. Liability for Violators

A license may be temporarily suspended or permanently revoked for violation of any provisions of this article. (Section 12.203)

4. Administrative Proceedings

The city council shall give due notice to the licensee, and shall hold a public hearing, before suspending or revoking a license. (Section 12.203i)

5. Insurance

The applicant for a refuse collector's license shall submit copies of insurance policies covering not less than $50,000 per one person, minimum of $100,000 for all persons, and $25,000 for property damage. (Section 12.203e)

FREMONT, CALIFORNIA

I. NAME OF ORDINANCE

Chapter 2 of Title IV (Sanitation and Health) of the Fremont Municipal Code, as amended, Ordinance No. 689, December 10, 1968.

I. GENERAL STATEMENT

1. Declaration of Policy

It is in the public interest that the accumulation, preparation, storage, collection, transportation, and disposal of garbage, rubbish and refuse be handled in such a manner so as to prohibit the harboring and breeding of rodents and insects, to reduce pollution of the air caused by burning, fermentation, or putrification of such materials, to prevent the spread of disease, to reduce the hazards of fire, values and the comfortable enjoyment of life. (Section 4-2101)

2. Definitions

a. Commercial garbage - includes garbage collected or saved for purposes of hog or animal feeding, or commercial reduction for fats, tallow, fertilizer, or other products, by canneries, packinghouses, or sheds, markets, hotels, butcher shops, hospitals, and similar institutions and establishments where large quantitites of salvable garbage are produced.

b. Garbage - includes the putrescible animal, fish, fruit, or vegetable refuse, or any thereof, resulting from the preparation, storage, handling, or consumption of foods.

c. Industrial waste - includes all liquid or solid waste substances, except sewage, from any producing, manufacturing, or processing, business operation.

d. Refuse - includes all putrescible and non-putrescible solid and liquid wastes (including manure and dead animals) resulting from the feeding of commercial garbage, and garbage, or either thereof, to hogs, or other animals. Such materials may or may not be salvable.

e. Rubbish - includes all non-putrescible refuse.

f. Waste - includes the useless, unused, unwanted, or discarded materials resulting from normal community activities, or materials which by their presence may injuriously affect the health, safety, and comfort of persons and depreciate property values in the vicinity thereof.

g. Animal feeding yard - the premises or site where the feeding to three or more animals, other than hogs, of garbage not produced on such premises or site, except an animal feeding yard or hog farm as herein defined, is permitted or occurs.

h. Disposal site - the premises or site where the disposal of waste, refuse, garbage, rubbish, industrial waste, commercial garbage, or refuse garbage, or any thereof, not produced on such premises or site, except an animal yard or hog farm as herein defined, is permitted or occurs.

i. Hog farm - the premises or site where the feeding to three or more hogs of garbage or commercial garbage not produced on such premises or site is permitted or occurs.

j. Pollution - an impairment of the quality of the waters of the state by sewage, refuse, garbage, or industrial waste, to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic, industrial, agricultural, navigational, recreational, or other beneficial use. (Section 4-2103)

III. ADMINISTRATION

1. Responsible Agency

   Health Officer

2. Functions and Powers

   a. To issue licenses and permits for collection of refuse. (Section 4-2301)

   b. To issue licenses and permits to operate disposal site. (Section 4-2402)

   c. To enforce and administer all provisions of this chapter. (Section 4-2800)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. All garbage shall be kept in receptacles or containers. (Section 4-2200)

   b. Every one shall provide watertight noncorrosive receptacles, which shall be kept in a clean and sanitary condition at all times. Such receptacles shall be of not less than 10 gallons nor more than 30 gallons, and shall not exceed 75 pounds. They shall be proof against access by flies, rodents, and animals. (Section 4-2201)

c. All garbage receptacles shall be located in readily accessible places. (Section 4-2202)

d. All garbage shall be collected at least once each week. (Section 4-2206)

e. All commercial garbage shall be collected within 24 hours. (Section 4-2207)

f. Garbage, rubbish, and refuse may be disposed of by grinding and discharge into a sanitary sewage system, feeding to animals, incineration or burning, composting, burial, reduction or salvage. (Section 4-2400)

g. The city council shall prescribe other requirements of not more onerous application with respect to the preparation, storage, collection, transportation or disposal of waste. (Section 4-2500)

h. Every dangerous or unsanitary condition is a nuisance and may be abated by the health officer. (Section 4-2700)

2. Prohibited Activities

   a. It shall be unlawful to collect garbage without contract. (Section 4-2300)

   b. It shall be unlawful to dump waste except upon premises where disposal of such waste is authroized by a license and permit. (Section 4-2401)

   c. It shall be unlawful to operate any premises as a hog farm. (Section 4-2406.5)

3. Approved Operations of Solid Waste Facilities -Sanitary Landfill

   a. A minimum six inch seal shall be deposited over the top and sides of the dumped material by the end of each day's operation.

   b. No open fires or burning of any types shall be permitted at the disposal site.

   c. Feeding of animals at the disposal site will not be permitted unless authorized by separate permit.

   d. A representative of the permittee shall be present during dumping and covering operations.

   e. Toilet facilities shall be provided on the premises.

   f. A fence shall be maintained at all times and its gates shall be locked when not in operation.

g. Salvaged material shall be removed from the premises weekly, or stored in such a manner as to prevent rodent harborage or breeding of insects, or to constitute a fire hazard.

h. Suitable methods shall be used to minimize dust.

i. Water and equipment for fire fighting purposes shall be provided.

j. An approved sanitary drinking water supply shall be provided.

k. Drainage control measures shall be taken.

V. ENFORCEMENT

1. Requirements for Permits

a. No person shall transport any garbage unless an effective license or permit has been issued by the health officer. (Section 4-2301)

b. Any person desiring to operate any premises as a disposal site shall file an annual application for a license and permit, accompanied by a fee of $50 together with an annual inspection fee of $225. (Section 4-2402)

c. Any person desiring to operate an animal feeding yard shall file an application for a license and permit, accompanied by a fee of $20 together with an annual inspection fee of $50. (Section 4-2407)

2. Inspection Procedure

a. The health officer, the fire chief, and the chief building inspector are authorized to make such inspections as may be required to enforce the provisions of this chapter. (Section 4-2801)

b. For purposes of inspection, the health officer may enter any premises to inspect the same. (Section 4-2802)

3. Liability for Violators

a. The permit and the license shall be subject to revocation, after notice and hearing, for failure to comply with the requirements of this article or with the conditions of such permit or license. (Section 4-2309)

b. The violation of any provisions of this article shall constitute a breach of contract. (Section 4-2310)

4. Administrative Proceedings

a. The city council shall hold a public hearing to determine under what conditions and to what extent a variance from the requirements of this chapter is necessary and will be permitted. (Section 4-2502)

b. Within 30 days after the receipt from the health officer for a public hearing, the city council shall hold such a hearing. (Section 4-2602)

c. In the event of failure of the licensee to appear at the hearing, the city council may revoke the license and permit. (Section 4-2605)

d. The health officer may serve a notice to abate dangerous or unsanitary condition. At the time and place specified in the notice for hearing, the city council shall hear and pass upon objections and protests. Upon completion of the abatement of dangerous or unsanitary condition, the health officer shall cause notice of cost of abatement. (Sections 4-2701,4-2704, and 4-2706)

5. Injunctive Powers

The violation of any provisions of this chapter shall also be deemed a nuisance, and civil action to abate, enjoin or otherwise compel the cessation of such nuisance may be taken by the city attorney. (Section 4-2803)

6. Lien

The cost of abatement may be assessed by the city council against the parcel of property upon which the dangerous or unsanitary condition was abated. Such cost so assessed, if not paid within five days after its confirmation by the city council, shall constitute a special assessment against the parcel or property and shall be a lien on such property. (Section 4-2708)

FRESNO, CALIFORNIA

I. NAME OF ORDINANCE

Waste Disposal Ordinance, Fresno Municipal Code, Sections 9-401 through 9-411 amended through Ordinance No. 70-7 dated January 29, 1970.

II. GENERAL STATEMENT

1. Definitions

   a. Mixed waste - includes waste materials of all kinds other than human and animal excrement and earth, and also includes, but is not limited to, garbage, rubbish, waste, waste products and refuse.

   b. Residential rubbish - includes mixed waste which is normally produced at and discarded from a dwelling,but does not include liquids, food wastes, food containers or wrappers, or animal bodies or parts. (Section 9-402)

III. ADMINISTRATION

1. Responsible Agency

   Director of Public Works (Section 9-402a)

2. Functions and Powers

   a. To make any rules and regulations which are not inconsistent with provisions of this article which he feels may be necessary. (Section 9-406)

   b. To determine when material may be salvaged by the city. (Section 9-407)

   c. To determine when private collection is necessary. (Section 9-407)

   d. To investigate permit applications and recommend granting or denying issuance of permits. (Section 9-408f)

   e. To impose conditions on issuance of permits calculated to eliminate dust, scattered materials, etc. (Section 9-408f)

   f. To make rules regarding identification of private collectors and their equipment. (Section 9-408g)

   g. To require private collectors to keep such records as he deems necessary. (Section 9-408h)

   h. To revoke any permit after violation has occurred. (Section 9-408i)

. SCOPE OF LEGISLATION

1. Standards and Regulations

    a. All persons occupying or having charge of any place where waste accumulates shall cause same to be removed or disposed of at least twice a week (once a week for residential garbage) except from November through April when once a week is sufficient. (Sections 9-404b and 9-405e)

    b. With the exception of disposable residential rubbish boxes all containers shall be either of 20 or 30-gallon capacity. All bins shall be covered, be of one to six cubic yard capacity and shall be designed to be moved by mechanical equipment. (Section 9-403c and Section 9-403e)

    c. All mixed waste shall be placed in covered containers except residential waste which may be placed in disposable cardboard boxes. Paper products and limbs may be securely tied in bundles not exceeding four feet in length and 18 inches in diameter. [Section 9-404c (1) (3)]

    d. Each place or premise shall be provided with sufficient containers to store normal accumulation waste. [Section 9-404c (5)]

    e. Residential rubbish shall be placed in alley at rear of premises or, if no alley exists, at curb in front of premises. [Section 9-404c (8)]

    f. Mixed waste from commercial establishment may be placed in bins at the alley. If no alley exists, waste shall be positioned at place to be determined by the Director. (Section 9-409d)

    g. Waste and rubbish collection charges are to be set by the Ordinance (Section 9-405), and payment of all fees shall be due and payable in advance. (Section 9-411)

    h. All private collectors shall keep such records as the Director may require. (Section 9-4081)

2. Prohibited Activities

    a. No waste container, box, or bundle except bins may weigh more than 70 pounds. [Section 9-404c (4)]

    b. No mixed waste may be deposited in waste containers of any other premise. [Section 9-404c (4)]

    c. No mixed waste or containers shall be handled so as to become a nuisance. No container shall be left uncovered. [Section 9-404c (b)]

d. No live or hot coals or ashes shall be placed in or with any mixed waste. (Section 9-404c (7)]

e. No waste container shall be stored in front or side yard on a a street unless screened from view of a street. [Section 9-404c (9)]

f. No human or animal excrement shall be placed for collection except solid animal excrement may be placed in waste container if securely wrapped or contained. [Section 9-404c(11)]

g. No person shall gather, collect, transport, burn, bury or dispose of any garbage, residential rubbish, or any kind of refuse without a permit issued by city. (Section 9-409)

h. No person shall throw or deposit any waste matter upon any vacant lot, street, alley, gutter, highway, park, or public place. (Section 9-410)

V. ENFORCEMENT

1. Requirements for Permit, etc.

a. Director shall determine if private collection is necessary. (Section 9-407)

b. Application for private collection permits made to Director and shall include location of collections, list of equipment and charges to be made. (Section 9-408a)

c. Application for permit for private collection at specific location shall be made to Director and include above information plus proof of collection permit. (Section 9-408b)

d. Approval or disapproval of application made by Director as soon as possible. (Section 9-408d)

e. Permit effective until June 30 shall be $20 per month for private collection. For location permit alone, fee is $1 per month plus $5 fee upon issuance. (Section 9-408e)

2. Administrative Proceedings

a. Permit may be revoked by Director if any conditions of this Ordinance, Code or contract are being violated.

b. At least 30 days notice shall be given if it is revoked due to lack of need for private collection.

c. If revoked for violation, ten days written notice shall be given, and this is final unless appeal filed to Chief Administrative Officer.

d. Chief Administrative Officer has power and duty to determine after receipt of appeal with notice given to appellant and Director. Decision may be affirmed, modified or reversed with any conditions attached which are deemed necessary.

SACRAMENTO, CALIFORNIA

I. NAME OF ORDINANCE

Sacramento City Code, Chapter 19 - Garbage, Rubbish, Weeds and Waste Matter, Sacramento City Code, as amended, January 1, 1966.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes dead animals, of not more than ten pounds in weight, and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay or dealing in, or storage of, meats, fish, fowl, birds, fruits or vegetables. Exceptions: dish water or waste water.

b. Rubbish - includes wood, leaves, dead trees or branches thereof, chips, shavings, sawdust, woodenware, grass, rags, straw, books, shoes, hats, crockery, glassware, ashes, cinders, metals and all other material not included under the term ''garbage'' or ''waste matter.''

c. Waste matter - includes natural soil,earth, sand, clay, gravel, loam, manure, stones, bricks, brick-bats, plaster or Portland cement.

d. Wet garbage - includes kitchen and table refuse and offal, swill and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish, fowl, birds, fruits or vegetables. (Section 19.1)

III. ADMINISTRATION

1. Responsible Agency

Division of Waste Removal, the Engineering Department.

2. Functions and Powers

a. To gather, collect and dispose of by dumping, burning, distribution or sale all garbage, rubbish and waste matter. (Section 19.2)

b. To divide the city into collection districts. (Section 19.3)

c. To make and enforce rules and regulations concerning the collection and disposal of garbage.

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Every house owner should provide suitable and sufficient water-tight cans or other suitable receptacles with suitable bales or handles and a tight-fitting cover. Such receptacles shall be readily accessible to the collectors and emptied at least once each week. (Section 19.9)

b. Wet garbage should be stored in a suitable container separately from dry garbage. (Section 19.10)

2. Prohibited Activities

a. It shall be unlawful to collect garbage, rubbish or wastepaper refuse within the city or transport the same through the streets in the city without a license. (Section 19.8)

b. It shall be unlawful to show or deposit any garbage, rubbish or waste matter upon any street or any other public place. (Section 19.11)

c. It shall be unlawful to deposit any garbage or rubbish except at an approved place. (Section 19.12)

d. It shall be unlawful to bury or burn garbage at any place within the city. (Section 19.13)

e. It shall be unlawful to allow open burning except in multiple combustion incinerators. (Effective July 1, 1971)

V. ENFORCEMENT

1. Requirements for Permits

Any person who wishes to engage in the business of collecting rubbish or trash within the city shall obtain a license. (Section 19.28)

SAN JOSE, CALIFORNIA

I. NAME OF ORDINANCE

San Jose Municipal Code - Sections 5303-5306
October 21, 1954 and later amended.

II. ADMINISTRATION

1. Responsible Agency

Health Officer

2. Functions and Powers

a. To vary provisions of Code if necessary due to special hardship. (Section 5303.10)

b. To grant permission to:

(1) To deliver refuse outside city. (Section 5304.5)

(2) To fill in low areas with refuse. (Section 5304.9)

(3) To use refuse to prevent erosion. (Section 5304.9)

(4) To use stable matter to fertilize land. (Section 5304.10)

(5) To feed swill to animals.(Section 5304.11)

c. To issue special refuse disposal license. (Section 5304.11)

d. To approve of manner of collection and transportation for all refuse collection (Section 5305.9) and manner of disposal. (Section 5306.5)

e. To inspect all rubbish collection vehicles. (Section 5307.1)

III. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All garbage and rubbish shall be placed in separate metal containers of sufficient strength to prevent collapsing or crushing; have close-fitting metal cover; handles on each side; be leak-proof; fly-proof; be free of sharp, ragged edges and not exceed 32 gallons in capacity (8 cubic feet for rubbish containers). (Sections 5303.2 and 5303.8)

b. No container shall exceed 75 pounds in weight when full. (Section 5303.4, 5303.7 and 5303.9)

c. All containers shall be kept clean and sanitary at all times. (Sections 5303.4 and 5303.7)

d. All containers shall be kept within side or rear of yard and in place accessible to collectors. (Sections 5303.3, 5303.6 and 5303.9)

e. Separate swill containers are required. (Section 5303.5)

f. Separate stable matter container not to exceed 72 cubic feet in capacity unless stable matter to be mixed with garbage. (Section 5303.11)

g. All refuse may be disposed of at city dump. (Section 5304.3)

h. All garbage and rubbish collectors shall keep complete set of books and records (Sections 5305.5 and 5306.3) and file annual report. (Section 5306.4)

2. Prohibited Activities

a. It shall be unlawful to accumulate any refuse on property owned or occupied by him (Section 5303.1) or dispose of it (Section 5304.1) unless in accordance with this code.

b. It shall be unlawful to accumulate more than one week's garbage and rubbish (Section 5303.12) or one day's collection of swill. (Section 5303.13)

c. It shall be unlawful to place any hot ashes, etc. or any burning matter in any garbage or rubbish container. (Section 5303.14)

d. It shall be unlawful to deliver any refuse outside the city without permission of the Health Officer. (Section 5304.5)

e. It shall be unlawful for refuse to be burned except in accordance with following limitations:

(1) No burning except between 0900 and 1200 hours of any day.
(2) No industrial, commercial or medical garbage or rubbish shall be burned except in approved incinerator.

(3) No noxious or offensive odors or dense smoke or public nuisance may be caused.

(4) No fire in any public street, etc. or public property.

(5) No rubbish may be burned in incinerator unless rapid and complete combustion assured.

(6) With written permission, leaves, branches, etc. may be kindled. (Section 5304.6)

f. It shall be unlawful to bury refuse. (Section 5304.7)

g. It shall be unlawful to use refuse to fill in low areas, (Section 5304.8), prevent erosion (Section 5304.9), fertilize land (Section 5304.10) or feed swill animals (5304.11) without permission of Health Officer.

h. It shall be unlawful to collect, transport or dispose of swill without a license (Section 5303.1), and a contract with the City is required for any person to collect, transport or dispose of garbage. (Section 5306.1)

IV. ENFORCEMENT

1. Requirements for Permits, etc.

   a. All swill, rubbish and garbage collectors shall have a valid license and a contract with the City. [Sections 5305.1, 5305.2(a) and 5306.1]

   b. License shall be issued after public hearing with final decision up to City Council. [Section 5305.2(b)]

   c. There is a tax on all swill (Section 5305.3), rubbish (Section 5305.4) and garbage collectors. (5306.2)

2. Inspection Procedure

   a. All books and records may be inspected at any time. (Sections 5305.5 and 5306.3)

   b. All rubbish vehilces shall be inspected prior to use. (Section 5307.1)

3. Liability for Violators

   Any license tag or sticker issued may be taken away for violation of this Code. (Section 5307.4)

4. Performance Bonds

   Surety bond of $50,000 or other adequate security shall be given by those authorized to collect, transport or dispose of any waste matter. [Sections 5306.6 and 5306(a)]

SANTA ROSA, CALIFORNIA

I. NAME OF ORDINANCE

Ordinance No. 933 - August 26, 1958.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes kitchen and table refuse, offal, swill and also every accumulation of animal and vegetable refuse, and other matter that attends the preparation, consumption, decay, or dealing in or storage of, meats, fish, fowl, birds, fruits, or vegetables. It shall also include crockery, bottles, tin vessels, ashes, and all refuse save and excepting as herein defined as rubbish or wet garbage.

b. Wet Garbage - includes all clean garbage, suitable for food for hogs, coming from restaurants, cafes, cafeterias, hospitals, hotels, boarding houses, clubs and all other eating places in the City of Santa Rosa, and from butcher shops and dealers in fresh vegetables, and shall consist of and include only kitchen and table refuse, offal and swill, and every accumulation of animal and vegetable scraps, refuse or waste, and other matter that attends the preparation, consumption, decay, or dealing in, or storage of meats, fish, fowls, birds, fruits or vegetables. Provided, however, that said definition is not intended nor does it include the by-products of butcher shops where said by-products have a commercial value and are not decomposed nor offensive, and where said by-products have not been rejected by the owners or producers thereof as offensive or useless.

c. Refuse - includes all matter and materials which are rejected by owners or producers thereof as offensive or useless, and which by their presence or accumulation, may injuriously affect the health, comfort, or safety of the community by increasing disease or hazard by fire.

d. Rubbish - includes all combustible and non-combustible waste and refuse matter, excepting garbage ordinarily accumulating in and about residences, flats, buildings, apartment houses, lodging houses, hotels, restaurants, eating houses, stores, shops, offices and other public buildings. Among other things, it shall include tree trimmings, cut in lengths not to exceed three feet or two inches in diameter, grass cuttings, dead plants, and weeds, and leaves but shall not include brick mortar or other debris incident to the construction of buildings.

III. ADMINISTRATION

1. Responsible Agency

   City Manager (Sections 8b and 13)

2. Functions and Powers

   a. To set routes and time for collection. (Section 8c)

   b. To make necessary changes in cases of difficulty. (Section 8e)

   c. To make such interpretations as are necessary. (Section 11)

   d. To enforce provisions of this Ordinance. (Section 13)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Containers for garbage shall be galvanized metal, with handles, from 15 to 30 gallons with close fitting covers, and kept closed at all times. (Section 2a)

   b. Containers for wet garbage shall be same except they shall be watertight. (Section 2b)

   c. Rubbish shall be kept in boxes, barrels or other suitable receptacles. (Section 2c)

   d. All commercial garbage shall be removed at least twice a week, all residential garbage at least once a week, and all rubbish at least once a week.

   e. No garbage or rubbish shall be transported through the streets except in vehicles constructed to be dustproof and so as to prevent spillage. Wet garbage shall be transported in watertight containers on the streets. Vehicles shall be kept clean and be clearly marked. (Section 3)

   f. Fees charged to occupants whether they use collection service or not. (Section 6a)

2. Prohibited Activities

   a. It shall be unlawful to allow accumulation of rubbish, wet garbage or garbage on any public or private property or street unless in accordance with storage requirements of this Ordinance. (Section 3)

   b. It shall be unlawful to deposit any refuse or rubbish on any lane, street, alley, gutter or drain. (Section 3d)

c. It shall be unlawful to bury any garbage without permit. (Section 3e)

d. It shall be unlawful to tamper with any garbage or rubbish without permission. (Section 3f)

e. It shall be unlawful for any person to collect or transport any garbage without a contract with the City. (Sections 4 and 8)

f. It shall be unlawful to deposit rubbish in public place. (Section 9)

g. It shall be unlawful to burn any garbage. Rubbish may be burned subject to fire regulations. (Section 10)

h. It shall be unlawful to interfere with collection and disposal of refuse, garbage, or rubbish by any person. (Section 13)

V. ENFORCEMENT

1. Requirements for Permits, etc.

Contract may not exceed ten years. (Section 5)

2. Penalties

Violation of this Ordinance is a misdemeanor punishable by fine of not more than $300 or imprisonment not exceeding 90 days or both. (Section 15)

3. Performance Bonds

Surety bond of $10,000 plus public liability insurance of not less than $50,000 for death of one person, $100,000 for death of more than one person, and $20,000 for property damage.

AURORA, COLORADO

I. NAME OF ORDINANCE

Chapter 1 - Garbage and Rubbish, City Code, September 8, 1969.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes any and all rejected or waste, household food, offal, swill, kitchen refuse, and every refuse accumulation of animal, fruit, or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, and dealing in or storing of food, or meat, fish, fowl, fruit or vegetable.

b. Rubbish, debris - includes all accumulation of waste, refuse, rejected animal, mineral or vegetable matter, manure, ashes, waste paper, cans, bottles, broken china, sawdust, leaves, grass cuttings, shrubbery and tree trimmings, shavings and packing material.

III. ADMINISTRATION

1. Responsible Agency

The Tri-County Health Department

2. Functions and Powers

a. To issue permits for collection and open burning. (Sections 5-1-14 and 5-1-20.1)

b. To supervise the collection and transportation of trash and waste materials. (Section 5-1-17)

c. To make additional rules and regulations not inconsistent with the terms and provisions of this Chapter. (Section 5-1-17)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All garbage, trash, manure, rubbish and debris shall be removed from the places where the same shall accumulate. (Section 5-1-2)

b. The Council may enter into contracts and agreements for the collection and removal of garbage, rubbish and debris. (Section 5-1-3)

c. All garbage, rubbish and debris shall be collected and removed by designated official at regular prescribed intervals. (Section 5-1-5)

d. Every owner shall provide a vessel for garbage. Such vessel shall be watertight and made of corrosion resistant metal, galvanized, and shall be constructed of 26 gauge or heavier metal, with a close-fitting metal cover. Such can shall be of any capacity not greater than 32 gallons, and the gross weight of such vessel shall not exceed 100 pounds. (Section 5-1-6 A and B)

e. Every collection vehicle shall be fitted with a watertight metal tank box provided with a tight-fitting cover. (Section 5-1-6C)

f. Every person shall accumulate rubbish or debris in a box, barrel, or other receptacle at convenient places. (Sections 5-1-6D)

g. Every vehicle shall be so designed and equipped so as to prevent the escape or loss of any rubbish or debris while being transported. (Section 5-1-6E)

h. All garbage, rubbish and debris shall be disposed of at a treatment plant or other designated place. (Section 5-1-8)

i. There shall be no hauling of trash or waste between 7:00 P.M. and 6:00 A.M. (Section 5-1-19)

2. Prohibited Activities

a. It shall be unlawful to dump garbage, rubbish and debris. (Section 5-1-8 A and B)

b. It shall be unlawful to deposit any trash receptacle on the right-of-way abutting any street. (Section 5-1-8 C)

c. It shall be unlawful for garbage,rubbish or debris to be deposited in streets. (Section 5-1-13)

d. It shall be unlawful to transport burning material. (Section 5-1-18)

e. It shall be unlawful to burn any rubbish without a permit. (Section 5-1-20.)

f. It shall be unlawful after January 1, 1968 to burn any combustible refuse except in an approved incinerator or other equipment. (Section 5-1-20.2)

V. ENFORCEMENT

1. Requirements for Permits

a. Any person desiring to collect wastes shall obtain a permit from the clerk upon the payment of $10 annual fee. (Sections 5-1-15 and 5-1-16)

b. No open fires are permitted without having first obtained a permit from the Chief of the Fire Department. (Section 5-1-20.1)

2. Inspection Procedure

   a. It shall be unlawful to refuse to admit the Air Pollution Control officer of the Tri-County Health Departmnet or any member of the Fire or Police Department to any premise for inspection purposes. (Sections 5-1-20.4 and 5-1-20.5)

   b. No open fire shall be kindled until an officer of the Fire Department has inspected and a determination has been made as tc the safety of the fire. (Section 5-1-21)

3. Liability for Violators

   All delinquent accounts are subject to stoppage of service without notice if not paid within 30 days. (Section 5-1-10)

4. Penalties

   Any person guilty of violation shall, upon conviction thereof, be fined in an amount not to exceed $300 or imprisoned for a period not to exceed 90 days. (Section 5-1-22)

BOULDER, COLORADO

I. NAME OF ORDINANCE

Revised Code of the City of Boulder - Refuse, Refuse Haulers, and Weeds - Codified October 19, 1965 and amended.

II. GENERAL STATEMENT

1. Declaration of Policy

To prevent conditions which are or may be fire or health hazards, actual or potential harborages for rats, mice, rodents, vermin or other pests, and to preserve and promote the health, welfare and property of the inhabitants of Boulder. (Section 14-1)

2. Definitions

a. Refuse - includes all solid wastes, garbage and rubbish, whether combustible or non-combustible, including rubble.

b. Garbage - includes all putrescible animal or vegetable waste resulting from the preparation, cooking and serving of food, or the storage and sale of produce.

c. Rubbish - includes all nonputrescible solid wastes, consisting of both combustible and non-combustible wastes, including, but not limited to, paper, ashes, cardboard, tin cans, yard clippings, wood, glass, rags, discarded clothes or wearing apparel of any kind, or any other discarded object or thing, not exceeding three feet in length.

d. Rubble - includes large brush wood, large cardboard boxes or parts thereof, large and/or heavy yard trimmings, discarded fence posts, crates, motor vehicle tires, junk motor vehicle bodies or parts thereof, scrap metal, bed springs, water heaters, discarded similar object or thing which cannot conveniently be cut into sizes less than three feet in length.

e. Refuse container - a metal or non-absorbent and fire resistant container, which shall be equipped with a tightly fitting metal or non-absorbent and fire resistant cover or lid, but shall not include incinerators other than those herein defined, or ash pits.

f. Refuse hauler - includes any person engaged in the business of collecting, storing and transporting of refuse in the City of Boulder and who is licensed thereof by the City.

g. Refuse disposal site - includes any location designated by the City Council of the City of Boulder where any approved final treatment utilization, processing or depository of solid wastes occurs.

h. Composting - the biological reduction or stabilization of putrescible and other organic solid wastes to a non-putrescible manner.

i. Incineration - includes the controlled burning of combustible solid wastes with or without accompanying non-combustible wastes with the use of auxiliary fuel when necessary.

j. Sanitary landfill - includes the active portion of the landfill site where refuse is being dumped, compacted, and covered.

k. Transfer station - includes any loading site where solid waste is transferred from one vehicle to another for transfer to a permanent refuse disposal site.

l. Disposal - includes the processing of solid wastes by sanitary landfill, by incineration, by composting, by grinding or any other equivalent sanitary method. (Section 14-2)

III. ADMINISTRATION

1. Responsible Agency

The Health Officer, the Fire Chief, and the City Manager

2. Functions and Powers

a. To enforce the provisions of this code.

b. To make such additional rules and regulations to carry out the intent and purpose of this Chapter. (Section 14-1)

c. To issue licenses. (Section 14-8b)

d. To require submission of plans of landfill site. (Section 14-102e)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All refuse, except rubble, shall be stored either in refuse containers or in refuse storage rooms. (Section 14-5a)

b. Rubble need not be stored in containers or storage rooms but shall be stored in such a manner as not to constitute or create an unsanitary condition or a health or fire hazard. (Section 14-5b)

c. Separate containers shall be provided for garbage. (Section 14-5d)

d. All refuse vehicles shall have a tightly enclosed body to prevent refuse from spilling. (Section 14-11)

2. Prohibited Activities

   a. It shall be unlawful to permit refuse to accumulate. (Section 14-3)

   b. It shall be unlawful to deposit any refuse on any street, park, or any other public ground. (Section 14-6a)

   c. It shall be unlawful to bury any garbage. (Section 14-6b)

   d. It shall be unlawful to deposit garbage in the City's sewage system unless shredded by a mechanical grinder. (Section 14-6c)

   e. It shall be unlawful to permit dead animals to remain on any public ground for longer than 24 hours. (Section 14-6d)

   f. It shall be unlawful for refuse haulers to use unlicensed vehicles or to operate while license suspended or revoked. (Section 14-10)

   g. It shall be unlawful to spill any refuse on any street or any other public or private property. (Section 14-12)

3. Approved Operations of Solid Waste Facilities.

   a. The proposed disposal site shall comply with the zoning and health regulations. (Section 14-102 a and b)

   b. Plans and specifications of the site shall be approved by the City Council. (Section 14-102 e)

   c. Adequate drainage facilties shall be provided at the site. [Section 14-102 e(4)]

   d. Access roads shall be designed and constructed. [Section 14-102 e(5)]

   e. Suitable fencing shall be provided. [Section 14-102 e (6)]

   f. Shelter, sanitary facilities and safe drinking water shall be provided. [Section 14-102 e (7)]

   g. Adequate fire prevention and fire fighting facilities shall be provided. [Section 14-102 e (8)]

   h. Salvage operation, when permitted, shall not interfere with the prompt sanitary disposal of refuse. [Section 14-102 e (10)]

   i. Scattered materials shall be collected and disposed of at least once a week. (Section 14-103c)

   j. Rubble or bulky items shall be disposed of in such a manner to prevent unsightliness or any unsanitary condition or hazard. (Section 14-103d)

k. Dust shall be controlled. (Section 14-103e)

l. Adequate measures shall be applied to control flies, mosquitos or rodents and vermin. (Section 14-103 f)

m. The site shall be supervised at all hours of operation. (Section 14-103h)

n. All refuse shall be spread in layers no more than two feet in depth before compaction. (Section 14-104c)

o. The compacted depth in a single lift shall not exceed eight feet. (Section 14-104d)

p. All compacted refuse shall be covered with at least six inches deep of cover material b the close of operations. (Section 14-104e)

q. The top cover and finished side slopes of the fill shall have at least two feet of compacted soil. (Section 14-104f)

V. ENFORCEMENT

1. Requirements for Licenses

a. Licenses are required for refuse haulers. (Section 14-8a)

b. The license fees shall be as follows: $25 for every applicant and the first refuse hauling vehicle used by him; $10 for every additiona refuse hauling vehicle. (Section 14-8d)

c. All licenses issued shall automatically expire on the first day of January of each year.

d. All licenses shall be non-transferable. (Section 14-8f)

2. Inspection Procedure

a. The City Manager, the Health Officer, or the Fire Chief, shall have the right to inspect any and all premises within the City at reasonable hours. (Section 14-14)

b. The Director of Environmental Health or his authorized agent of the Health Department shall inspect the operation and maintenance of all refuse disposal sites and keep a log of all inspections performed. (Section 14-105)

3. Liability for Violators

Licenses may be suspended or revoked by the City Manager for failure to comply with the provisions of this Chapter or any other related ordinance. (Section 14-9a)

4. Administrative Proceedings

   a. No license shall be suspended or revoked unless the City Manager gives written notice to the refuse hauler and a hearing is held not sooner than three days from the mailing or giving of such notice. The hauler shall be given an opportunity to be heard at said hearing. (Section 14-9b)

   b. The decision to suspend or revoke any license may be appealed to the City Council. (Section 14-9d)

5. Insurance

   All operators of the City refuse disposal sites shall enter an agreement with the City Council which shall contain, among other things, liability insurance in the following amounts: $100,000 per person; $300,000 for two or more persons involved in a single accident; and $50,000 property damage. (Section 14-107)

WESTPORT, CONNECTICUT

I. NAME OF ORDINANCE

Ordinance Regulating the Storage, Collection and Disposal of Refuse, February 15, 1958.

II. GENERAL STATEMENT

1. Definitions

a. Refuse - includes, but is not limited to, all solid wastes of the community including all garbage, ashes, combustible rubbish, non-combustible rubbish, trade wastes, salvageable trade wastes, paper, cardboard, metal cans, glass, bottles, small branches, prunings from trees and bushes, lawn trimmings and small dead animals not exceeding 30 lbs. each in weight. Refuse shall not include body wastes, large tree branches, tree trunks or tree roots.

b. Garbage - includes any animal or vegetable matter or product of the putrefaction or decomposition thereof, which accumulates in the preparation of food and any offal or refuse of meats, fish, fowl, vegetable or spoiled foods and other refuse or waste subject to decay.

c. Ashes - include the solid residue of combustion of any type of fuel.

d. Combustible Rubbish - includes all burnable refuse such as paper, rags, cartons, boxes, wood, small branches, excelsior, furniture, bedding, rubber, leather, etc.

e. Non-comubstible Rubbish - includes non-burnable refuse such as glass, bottles, tin cans, metal food containers, tinware, scrap metal, auto parts, pipe, other metallic substances, rocks, sod, earthenware, brick, concrete, plaster, and other mineral substances.

f. Trade Wastes - include all wastes and portions thereof from wholesale and retail establishments, end products of manufacturing, end products of food preparation for sale, or scraps of leftovers or non-salable portions thereof.

g. Salvageable Trade Wastes - includes all refuse that has use of value to a person, firm, corporation or establishment other than those producing the same. (Article 1)

III. ADMINISTRATION

1. Responsible Agencies

- a. Director of Health
- b. Department of Public Works
- c. Chief of Police

2. Functions and Powers

- a. Director of Health
  - (1) To approve the issuance of licenses. (Article 3, Section 1)
  - (2) To revoke licenses.(Article 3, Section 2)
  - (3) To inspect vehicles prior to issuance of licenses. (Article 4, Section 2)
  - (4) To inspect all vehicles and equipment during license period. (Article 4, Section 5)
  - (5) To set standards for disposal facilities. (Article 4, Section 5)
  - (6) To send notice of violations.(Articles 6 and 8)
- b. Department of Public Works
  - (1) To set standards for disposal facilities. (Article 5, Section 1)
  - (2) To send notice of violation.(Article 8)
- c. Chief of Police
  - (1) To approve issuance of licenses. (Article 3, Section 1)
  - (2) To revoke licenses.(Article 3, Section 2)
  - (3) To inspect safety equipment for vehicles prior to issuance of licenses. (Article 4, Section 1)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

- a. Storage
  - (1) Containers shall be watertight, closely covered and have adequate handles.
  - (2) Containers shall be kept sanitary and in good repair at all times.
  - (3) Ashes shall be stored in fire resistant containers but hot ashes shall not be stored in containers.

(4) Ashes shall not be allowed to accumulate on any premises except in approved containers.

(5) If any storage condition becomes unsanitary, the Director of Health may order its immediate correction.

(6) Dead animals shall be placed in carton or heavy sack clearly marked as to contents and shall not be intermixed with garbage. (Article 1, Section 7)

b. Collection

(1) All ashes, combustible rubbish and dry noncombustible rubbish except garbage may be transported in non-watertight vehicles if they are sufficiently covered to prevent loss of contents.

(2) All vehicles used for transportation of garbage or any type of refuse except those specified in previous section must be equipped with covered, watertight bodies. All vehicles shall be constructed to prevent leakage or scattering of contents and access to flies.

(3) Vehicles shall be washed out daily from May 1 to November 1. During the rest of the year, vehicles shall be washed as needed. Vehicles shall be sprayed as so directed by the Director of Health. (Article 4, Sections 3 and 4)

2. Prohibited Activities

a. It shall be unlawful to dispose of any refuse except at designated disposal area. (Article 2)

3. Approved Operation of Disposal Facility.

a. Standards to be set by Director of Public Works and Director of Health.

b. Any user may deliver refuse directly to disposal area.

c. No refuse from out of town may be deposited at area.

d. Scavenging and salvaging is prohibited.

e. Disposal of all dangerous explosive or inflammable materials is prohibited. (Article 5)

V. ENFORCEMENT

1. Requirements for Permits

a. License required to engage in business of collecting, transporting or disposing of refuse.

b. Application shall be approved by Chief of Police and Director of Health.

c. License expires each April 30 and may be renewed annually. (Article 3, Section 1)

2. Inspection Procedure

a. Chief of Police shall conduct safety inspection of vehicle prior to grant or renewal of license.

b. Director of Health shall conduct sanitary inspection of vehicle prior to grant or renewal of license.

c. Director of Public Works or Director of Health may conduct such spot inspections as they deem necessary. (Article 4)

3. Liability for Violators

Director of Public Works and/or Director of Health shall revoke license for any violation of this Ordinance. (Article 3, Section 2)

4. Penalties

Fine not to exceed $25 for each violation. Each day of willful continuation after receipt of official notice is separate offense. (Article 8)

WASHINGTON, D. C.

I. NAME OF ORDINANCE

Part 6, Proposed Solid Waste Regulations, Chapter 3, Buildings and Grounds, Title 8, Health Regulations, District of Columbia Regulations.

II. GENERAL STATEMENT

1. Declaration of Policy

The purpose of this regulation is to enhance and improve the environment and thus promote the health, safety and welfare of the District of Columbia by establishing minimum standards for the storage, collection, transportation and disposal of solid wastes. (8-3:601).

2. Definitions (8-3:602)

a. Abandoned vehicles- includes motor vehicles and trailers left on public or private property for an extended period of time and usually in an inoperable or hazardous condition and having only scrap value.

b. Ashes - includes the residue from the burning of wood, coal, coke or other combustible materials.

c. Bulky Waste - includes large items of solid waste such as appliances, furniture, large auto parts, tree and branches, stumps, flotage, and the like.

d. Combustible Rubbish - includes miscellaneous burnable materials.

e. Compactor Collection Vehicle - includes enclosed vehicles provided with special mechanical devices for conveying the refuse into the main compartment of the body and compressing the loaded materials.

f. Composting - is a controlled microbial degradation of organic waste yielding a nuisance free product of potential value as a soil conditioner.

g. Construction and Demolition Wastes - include the waste building materials and rubble resulting from construction, remodeling, repair, and demolition operation on houses, commercial buildings, pavements, and other structures.

h. Dead Animals - include those that die naturally or from disease, or are accidentally killed.

i. Disposal Area - includes any site, location, tract of land, area, building, structure or premises used or intended to be used for partial or total solid waste disposal.

j. Domestic Refuse - includes all those types which normally originate in the residential household or apartment house.

k. Food Waste (Garbage) - includes animal and vegetable waste resulting from the storage, handling, preparation, cooking or serving of foods.

l. Hazardous Wastes - include those wastes that can cause serious injury or disease during the normal storage, collection and disposal cycle, including but not limited to explosives, pathological and infectious wastes, radioactive materials, and dangerous chemicals.

m. Incinerator - includes any equipment, device or contrivance and all appurtenances thereof used for the destruction by burning of solid, semi-solid liquid, or gaseous combustible wastes.

n. Incinerator Residue - includes solid materials remaining after reduction in an incinerator.

o. Industrial Waste -includes solid wastes which result from industrial processes and manufacturing operations such as factories, processing plants, repair and cleaning establishments, refineries and rendering plants.

p. Non-combustible Refuse - includes miscellaneous refuse materials that are unburnable at ordinary incinerator temperatures (1300 to 2000 degrees F).

q. Open Dump - is an area on which there is an accumulation of solid waste from one or more sources without proper cover materials.

r. Premises - include a building, together with any fences, walls, sheds, garages, or other accessory buildings appurtenant to such building, and the area of land surrounding the building and actually or by legal construction forming one enclosure in which such building is located.

s. Putrescible Wastes - include wastes that are capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisances from odors, gases, and similar objectionable conditions. Kitchen's wastes, offal, and dead animals are examples of putrescible components of solid waste.

t. Residue - includes the solid materials remaining after burning, comprising ash, metal, glass, ceramics and unburned organic substances.

u. Rubbish - is nonputrescible solid wastes, including ashes, consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard rubbish, wood, glass, bedding, crockery, or litter of any kind.

v. Scavengering - is the uncontrolled picking or sorting of solid wastes either before, during or following collection.

w. Solid Waste (Refuse) - includes putrescible and nonputrescible solid wastes, except body wastes, and including abandoned vehicles, food waste (garbage), rubbish, ashes, incinerator residue, street cleanings, tree debris, and solid market and industrial wastes.

x. Street Refuse - includes material picked up by manual or mechanical sweeping of alleys, streets and sidewalks, litter from public litter receptacles, and dirt removed from catch basins.

y. Waste - includes useless, unwanted, or discarded materials resulting from normal community activities. Wastes include solids, liquids, and gases.

z. Yard Rubbish - includes prunings, grass clippings, weeds, leaves, and general yard and garden wastes.

III. ADMINISTRATION

1. Responsible Agency

The Department of Sanitary Engineering and the Department of Economic Development.

2. Functions and Powers

a. To issue collector's and collection vehicle licenses. (8-3:606)

b. To make inspections. (8-3:610)

c. To provide solid waste collection service. (8-3:605)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All solid wastes shall be stored in such manner as not to provide breeding places for insects or rodents, or to create a nuisance or fire hazard. (8-3:603(a))

b. Containers shall be of approved design and materials. (8-3:603(c))

c. No single container or bundle shall exceed 60 pounds in weight. (8-3:603(d))

d. There shall be a sufficient number of containers which shall be kept clean and in good repair. (8-3:603 (e) and (f))

e. Food waste (garbage) shall be drained, wrapped and stored for collection with rubbish. (8-3:603(h))

f. Solid wastes shall be collected at least twice per week. (8-3:604(b))

g. Collection vehicles shall be operated in such manner that they do not create a nuisance. (8-3:604(e))

h. Dead animals and decayed fish, meat or vegetable products shall be collected in covered vehicles. (8-3:604(c))

i. Construction and operation of incinerators shall comply with the applicable provisions of the Air Quality Control and Fuel Burning Equipment Regulations. (8-3:607(b))

j. Any disposal method shall be approved before such activity is undertaken. (8-3:607(f))

k. Hazardous wastes shall be transported and disposed of only by approved methods. (8-3:607(g))

l. Solid Wastes to be acceptable for disposal at the District's incinerators shall conform with the following requirements (8-3:608):

    (i) Shall be readily combustible.

    (ii) Shall not contain hazardous wastes.

    (iii) Shall not contain heavy timbers, logs, stumps or large quantities of ashes, dirt or rubble.

    (iv) Shall not contain large quantities of rubbish with a high moisture content.

    (v) Bulky combustible materials shall not exceed 4 feet in length or 2 feet by 2 feet in cross-section.

    (vi) Brush and tree debris shall not exceed 4 feet in length or 4 inches in diameter.

    (vii) Timbers may not exceed 4 feet in length, or 4 inches by 4 inches or 2 inches by 12 inches in cross-section.

2. Prohibited Activities

a. No person shall throw any solid waste in any street or other public space. (8-3:603(b))

b. Collectors shall not permit spillage from solid waste containers or collection vehicles. (8-3:604(c))

c. Open burning is prohibited by the Air Quality Control and Fuel Burning Equipment Regulations. (8-3:607(h))

V. ENFORCEMENT

1. Requirements for Permits

a. No person shall use any collection vehicle without a collector's and a collection vehicle license. (8-3:606(a))

b. No collection vehicle license shall be granted until the vehicle has been inspected by the Director of Public Health. (8-3:606(d))

2. Inspection Procedure

The Commissioner of the District of Columbia is authorized to make inspections of solid waste storage containers, collection systems, collection vehicles, and disposal sites. (8-3:610)

3. Liability for Violation

Continued violation of any provisions of this Article shall be grounds for the revocation, suspension or denial of any collector's or collection vehicle license. (8-3:611)

4. Administrative Proceedings

The licensee shall be given an opportunity to answer and be heard by the Commissioner upon the charges against him. (8-3:611)

5. Penalties

Any person who fails to comply with any provision of this Part shall be punished by a fine not to exceed $300 or imprisonment not to exceed 90 days, or both. (8-3:612)

CLEARWATER, FLORIDA

I. NAME OF ORDINANCE

"Sanitation Service Ordinance of Clearwater" Ordinance No. 1181, November 18, 1968.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes every refuse accumulation of animal, fruit or vegetable matter attending the preparation, use, cooking, and dealing in or storage of meats, fish, fowl, fruits, vegetables or grains.

b. Trash

(1) Containerized Trash - includes any leaves, yard or small hedge clippings or other types of rubbish or trash consisting of combustible and non-combustible wastes, such as paper, cardboard, boxes, crates, tin cans, yard trimmings, leaves and other similar materials as ordinarily accumulate about residential property.

(2) Bundled or Stacked - includes tree limbs less than four inches in diameter and no longer than four feet,such as palm fronds, large hedge clippings or any residue accumulated from normal landscaping operations.

c. Foreign Materials

(1) Constructions materials, such as sand, wood, stone, bricks, cement, concrete construction blocks, roofing and other building materials including sod; animal wastes shall also be considered foreign material.

(2) Tree stumps, appliances, household furniture, discarded metals and wood and other similar type material that is bulky, cumbersome or cannot be safely placed into collection equipment. (Section 10-2)

III. ADMINISTRATION

1. Responsible Agency

Sanitation Superintendent (Section 10-4)

2. Functions and Powers

a. To make regulations concerning collections days, types and location of containers and other necessary matters. (Section 10-4)

b. To deny collection service to those who fail to replace bad containers. [Section 10.5 (2a)]

c. To grant permission for commercial trash bins and mechanical containers. [Section 10-5 (2)]

d. To approve of refuse disposal within city limits. [Section 10-5(3b)]

e. To make any reasonable regulations he finds necessary. [Section 10-5(3c)]

f. To issue collection permits. [Section 10-8(4)]

g. To enforce the Ordinance using limited police powers. (Section 10-14)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All refuse in City shall be collected, conveyed and disposed of by City Government except commercial owners may personally collect and dispose of own refuse and outside collectors may haul refuse on city streets. (Section 10-3)

b. Preparation of Refuse

(1) Garbage shall be drained and wrapped in paper prior to being placed in cans.

(2) Trash shall be drained prior to collection.

(3) Leaves, clippings and trimmings shall be put in approved receptacle and not filled above top to be collected on regularly scheduled route.

(4) Dangerous materials (i.e., glass, razor blades, etc.) shall be deposited in disposable container.

(5) No single article too heavy for one man to lift shall be collected. No tree trunk or limb larger than four inches in diameter or longer than four feet shall be collected. [Section 10-5(1)]

c. Refuse Containers

(1) Shall be maintained in good condition or sanitation superintendant may refuse collection service.

(2) Shall be made of heavy plastic or metal, equipped with handles and tight-fitting cover, be watertight, capacity of not more than 20 gallons, and able to be handled by one man easily without strain.

(3) Shall be of type approved by Health Agency.

(4) No commercial trash bins without permission of Sanitation Inspector. [Section 10-5(2)]

d. It is duty of property owner or occupant to provide receptacle. (Section 10-9)

e. Storing of Refuse

(1) All commercial establishments shall prevent wind-driven debris and unsightly litter.

(2) Public parking lots shall be provided with trash containers. [Section 10-5(3)]

f. Points of Collection

Containers shall be placed at point easily accessible to collectors who will not unlock any obstacle or go over, under or around any obstruction. Exceptions of this require extra fee. [Section 10-5(4)]

g. Garbage will be collected twice each week for residences and small businesses. For schools, hotels, hospitals, and large commercial establishments, collections will be daily except Sunday and holidays. [Section 10-6(1)]

h. Vehicles used in hauling refuse shall be watertight and designed so as to prevent spillage and scattering. [Section 10-6(3a)]

i. Disposal shall be made outside city limits, unless otherwise authorized by Sanitation Superintendent. [Section 10-6(3b)]

j. Incinerators operated within City shall cause no offensive odor, sparks, minimum of smoke, and not become a nuisance. [Section 10-6(3d)]

2. Prohibited Activities

a. It shall be unlawful to collect, convey or dispose of any refuse accumulated in city without written contract or permit. (Section 10-3)

b. Storing of Refuse

    (1) It shall be unlawful to place any refuse on street, alley, public or private property unless in proper containers.

    (2) Any unauthorized accumulation of refuse is declared to be a nuisance and is prohibited.

    (3) It shall be unlawful to scatter, place, sweep, or deposit refuse in such a manner that it may be carried by the elements onto the street, sidewalk, public place or occupied premises. [Section 10-5(3)]

c. It shall be unlawful to place highly imflammable or explosive materials in containers for regular collection and ashes shall be wetted down and cool prior to collection. [Section 10-6(2)]

d. It shall be unlawful to deposit on or bury in any land, street, etc. any garbage or other noxious, offensive matter.

e. It shall be unlawful to fail to keep all containers clean, sanitary, tightly covered and in good repair.

f. It shall be unlawful to place any refuse on streets or sidewalks which might endanger pedestrian or vehicular safety.

g. It shall be unlawful to collect or permit to be collected by persons without a contract or permit.

h. It shall be unlawful to violate any provisions of this Ordinance.

. ENFORCEMENT

1. Liability for Violators

Failure to remove any accumulation of refuse is a violation. [Section 10-5(3a-1)]

2. Administrative Proceedings

a. Any person aggrieved by regulation or fee charged shall have right to appeal to City Manager who can confirm, modify or revoke regulation or fee. (Section 10-4)

b. Any container which is not in good repair shall be promptly replaced upon written notice from City. [Section 10-5(2a)]

c. A 24-hour correction notice of violation of provisions of this Ordinance may be issued. If not substantial compliance within 24 hours, summons may be issued. (Section 10-14)

3. Penalties

Correction of violation means fine of up to $500 or up to 60 days imprisonment or both. Each day violation continues is a separate offense. [Section 10-14(2)]

FT. LAUDERDALE, FLORIDA

I. NAME OF ORDINANCE

Chapter 20 of Code of Ordinances ''Garbage, Trash and Weeds''
May 1, 1969.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes every waste accumulation of animal or vegetable matter which attends the preparation, use, cooking, processing, handling or storage of meats, fish, fowl, fruits, vegetables, or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gases, or odors, or which during or after decay, may serve as breeding or feeding material for flies, insects or animals.

b. Household trash - includes every waste accumulation of paper, sweepings, dust, rags, bottles, cans or other matter of any kind, other than garbage, which is usually attendant to housekeeping.

c. Commercial trash - includes every waste accumulation of dust, paper, paper cartons, cardboard, cardboard cartons, excelsior, rags, or other accumulations, other than garbage or household trash, which are usually attendant to the operation of stores, offices and similar businesses.

d. Industrial waste - includes every waste accumulation of metal, metal products, minerals, chemicals, rocks, cement, asphalt, tar, oil, grease, glass, crockery, rubber tires, bottles, cans, lumber, ashes, sawdust, wastes from animal packing or slaughterhouses or other materials usually created by commercial enterprise, but not garbage, household trash or commercial trash.

e. Yard trash - includes every waste accumulation of lawn, grass, or shrubbery cuttings or clippings and dryleaf rakings, free of dirt, rocks, large branches and bulky or noncombustible material.

f. Tree trimmings - includes every waste accumulation of palm fronds, tree branches, parts of trees, bushes or shrubs, greenleaf cuttings, coconuts, fruit or other matter usually created as refuse in the care of trees or large bushes.

g. Single family residence - includes any single family dwelling, and is interchangeable with the word 'household.' Where both a single family residence and a guest house occupy the same premises, each of them shall constitute a separate living unit.

h. Multiple dwelling - includes all places of abode, other than single-family residences, having two or more living units.

i. Commercial establishment - includes any place, building and/or enterprise devoted in whole or in part to a business enterprise whether non-profit or profit making in nature, except where such place, building and/or enterprise constitutes a single-family residence or multiple dwelling.

j. Living unit - includes any place of abode which is suitable for permanent or transient family or individual residential use. Each such living unit shall be considered as single and separate for the purpose of this chapter. (Section 20.1)

III. ADMINISTRATION

1. Responsible Agency

a. Director of Public Works

b. Refuse Superintendent

c. Fire Chief

2. Functions and Powers

a. Director of Public Works

To approve of rules and regulations. (Section 20-10)

b. Refuse Superintendent

To enforce ordinance provisions and systems determination. (Sections 20-2, 20-4 and 20-8)

c. Fire Chief

To issue permits for burning. (Section 20-8)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Responsibility

(1) Owners, or agents, tenants or lessees of all residential and/or commercial establishments shall be responsible for complying with the provisions of this Ordinance. (Section 20-3)

(2) All owners or occupants of real property located within the city shall clear and keep clear said property of all unsightly and unsanitary matter accumulating thereon. (Section 20-12)

b. Storage

(1) All households, multiple dwellings, public buildings and commercial establishments shall provide adequate receptacles. Metal containers shall have handles, tight-fitting covers, be watertight and not exceed 32 gallons in capacity.

(2) All receptacles shall be kept clean and in good repair and shall be subject to inspection and subsequent approval or condemnation by the sanitation division. Grounds for condemnation are containers which are unfit, unsafe, uncovered, unsanitary or do not otherwise meet the requirements of this chapter.

(3) All containers shall be kept at an easily accessible location.

(4) All containers shall meet the other requirements of Section 20-4.

c. Collection

(1) Household and multiple dwellings without public dining areas - two collections per week for garbage and household trash.

(2) Multiple dwellings with two or more cubic yards of garbage/household trash per week or any complex with ten or more living units shall use bulk containers. The frequency of collection shall be determined by the superintendent.

(3) Commercial establishments and public buildings not using bulk containers may have up to six collections per week, but any building with two or more cubic yards of garbage, household trash and commercial trash shall use bulk containers.

(4) Yard trash will be collected on a regular collection day with a limit of two regulation containers combined capacity. (Section 20-2)

2. Prohibited Activities

a. It shall be unlawful to place in container:

(1) Wet and unwrapped refuse;

(2) Cardboard or paper carton without breaking them down and folding flat;

(3) Any glass material without having covered it to prevent injury;

(4) Any animals, parts of animals or animal waste.

b. It shall be unlawful to place or cause to be placed any refuse upon any street, road, body of water, public property except at designated place or private property without permission of owner. (Section 20-6a)

c. It shall be unlawful to allow accumulation of any material which may constitute a nuisance or endanger the public health, safety or general welfare. (Section 20-6b)

d. It shall be unlawful to transport any refuse without having vehicle completely enclosed and with material securely confined.

e. It shall be unlawful to bury or burn or dispose of any garbage, trash or similar material except by use of a garbage disposal unit or in accordance with the provision of this chapter.

V. ENFORCEMENT

1. Requirements for Permit

a. License required to transport refuse in city. (Section 20-7)

b. Application shall be made to City Treasurer. (Section 20-7)

c. The Fire Chief may issue a special permit for burning if certain conditions met. (Section 20-8)

2. Liability for Violators

License may be revoked or suspended upon proper showing of violation of this chapter. (Section 20-7)

3. Penalties

Violation of this chapter shall result, upon conviction, in punishment as provided in Section 1-6 this Code. Each day of violation is a separate and distinct offense.

JACKSONVILLE, FLORIDA

I. NAME OF ORDINANCE

Ordinance 69-567-562, October 6, 1969.

II. GENERAL STATEMENT

1. Definitions

a. Franchise - includes the written authority granted by the Council under this Ordinance, and all lawful franchise agreements granted by the former government of Duval County to engage in the business of garbage, rubbish and refuse collection service within the City.

b. Garbage - includes every accumulation of animal, vegetable or other matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, birds, fruit, or vegetables or any other putrescible matter including cans, containers or wrappers along with such materials.

c. Industrial Waste - includes waste and debris from brick, concrete block, roofing shingle and tile plants, as well as debris and waste accumulation from land clearing, excavating, building, rebuilding and altering of buildings, structures, roads, streets, sidewalks or parkways and any waste material which because of the volume and nature does not lend itself to collection with ordinary garbage and trash originating from warehouses, abattoirs and manufacturing plants.

d. Refuse - includes the combination of mixture of rubbish and garbage.

e. Rubbish - includes the accumulation of paper, excelsior, rags, bottles, cans, wooden and paper boxes or containers, sweepings and all other accumulations of materials other than garbage which are usual to housekeeping and to the operation of stores, offices and other business places, and leaves, grass, garden and yard trash, and excluding stoves, refrigerators, metal furniture, auto bodies and parts, washing machines, major household appliances,and industrial waste.

f. Solid Waste Coordinator - includes a person so designated by the Director of the Public Health and Welfare Department under the provisions of this Ordinance.

g. Yard Trash - includes an accumulation of leaves, shrubbery cuttings, branches, weeds, grass or other materials attending the care of lawns, shrubbery, vines, and tree trimmings. (Section 1)

III. ADMINISTRATION

1. Responsible Agency

   Solid Waste Coordinator (Section 9a)

2. Functions and Powers

   a. To investigate complaints against franchise holder.

   b. To suspend operation of any franchise holder found to be in violation of the provisions of this Ordinance until said violations cease.

   c. To initiate charges against franchise holder for forfeiture of franchise.

   d. To enforce violation of any provision of this Ordinance. (Section 9b)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Service shall be provided to each customer in franchise area that desires service and who pays lawful fees.(Section 10)

   b. Franchise holder not responsible for any materials on private property as a result of construction. Such materials shall be removed by the owner. (Section 11a)

   c. Franchise holder shall not be responsible for collecting industrial waste, but shall collect yard trash or rubbish that is not in excess of cubic yard per week, and all yard trash or rubbish in containers not exceeding 40 pounds in weight per container. (Section 11a)

   d. Garbage and refuse shall be collected at least three times weekly and yard and rubbish collection at least once a week, except in emergency situations so designated by Solid Waste Coordinator. (Section 11b)

   e. Disposal of garbage,refuse and rubbish shall be in approved manner and place. (Section 14)

2. Prohibited Activities

   a. It shall be unlawful to operate or solicit any collection service except as provided in this Ordinance. (Section 2a)

   b. It shall be unlawful to dispose of any dangerous materials in a manner which might be harmful to any person. (Section 12a)

c. It shall be unlawful for any franchise holder to litter or permit his employees to litter upon any street, lot, sidewalk, body of water, etc., nor shall this material be dropped, spilled or scattered from any vehicle upon any street, road, public or private place. (Section 12b)

d. Vehicles used shall not constitute a sanitary nuisance. (Section 12c)

V. ENFORCEMENT

1. Requirements for Franchises

a. Application shall be to President of Council and include map of area of desired service, schedule of proposed charges, personnel and equipment to be required and any other necessary information. (Section 4)

b. Application shall include names of all shareholders of 10% or more of the stock. (Section 4a)

c. Each applicant shall include financial statements and such statement shall exceed $10,000. (Section 4b)

d. Any corporation or partnership shall file its incorporation or partnership papers with the application. (Section 4c)

e. An investigation of the criminal records of applicants shall be made by the Sheriff. (Section 5b)

f. No franchise shall be granted unless the issuance thereof is required by public convenience and need. (Section 5d)

g. No franchise may be sold, assigned or transferred unless approved by the Council. (Section 6)

h. If person awarded a franchise fails to commence work within 15 days after the effective date, such franchise may be forfeited at the option of the Council. (Section 7)

2. Administrative Proceeding

a. Upon filing of application a public hearing shall be held within 20-60 days before the Public Services Committee. Written notice shall be given to the applicant and all other franchise holders and within 15-30 days prior to said hearing, notice shall be given to the public by publication. (Section 5b)

b. A public hearing shall be held before the Public Services Committee on any request for a rate adjustment. All franchise holders shall receive written notice at least ten days prior to the hearing and the public shall receive notice by publication within 10-15 days prior to the hearing. (Section 15)

3. **Penalties**

Punishment not to exceed $500 and/or not more than 90 days. Each day of violation is a separate and distinct offense. (Section 1b)

4. Performance Bond

$5,000 (Section 13)

5. Insurance

$100,000 - each person for bodily injury, sickness or disease including death resulting therefrom.
$300,000 - for each accident.
$ 25,000 - property damage for each accident.

Policy may not be cancelled without 30 days notice to the Coordinator. Coordinator shall approve new policy at least 45 days prior to expiration of existing policy.

MIAMI, FLORIDA

I. NAME OF ORDINANCE
"Garbage, Trash and Rubbish," Chapter 20, Articles I and II Miami City Code. Codified in 1945 and amended through 1969.

II. GENERAL STATEMENT

1. Definitions

   a. Garbage - includes every refuse accumulation of animal, fruit or vegetable matter attending the preparation, use, cooking and dealing in or storage of meats, fish, fowl, fruits, vegetables or grains.

   b. Refuse - includes all putrescible and nonputrescible solid wastes (except body wastes) including garbage, rubbish, dead animals and solid market and industrial wastes.

   c. Rubbish - includes nonputrescible waste, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

   d. Trash - includes all small discarded materials other than garbage, refuse and rubbish which can be placed in appropriate trash containers and can be handled at the city incinerator.

   e. Waste - includes garbage, refuse, rubbish, and trash. (Sec. 20-19)

III. ADMINISTRATION

1. Responsible Agency

   Department of Sanitation

IV SCOPE OF LEGISLATION

Owners, lessors, managers, agents, tenants or lessees shall be responsible for complying with the provisions of this article. (Sec. 20-17)

1. Standards and Regulations

   a. Storage

      (1) Sufficient approved containers shall be provided. (Sec. 20.2)

      (2) Containers shall be watertight, fitted with tight-fitting lid with a handle and have a capacity not exceeding 25 gallons. (Sec. 20-2)

(3) Storage site shall be in an easily accessible location, be a platform above ground level and be so constructed so as to discourage breeding of rodents. (Sec. 20-3)

(4) Director of Sanitation may decide location of containers. (Sec. 20-3)

(5) Damaged containers and sunken placement holes shall be replaced or repaired. (Sec. 20-4)

(6) Garbage shall be wrapped and drained. (Sec. 20-6)

(7) All paper cartons and boxes shall be flattened out before collection. (Sec. 20-4)

(8) All dangerous material shall be deposited in separate container. (Sec. 20-6)

(9) Newspapers and magazines not deposited in regular container shall be securely bound. (Sec. 20-6)

b. Collection

(1) All rubbish shall be placed next to street pavement or along curb line, but not in the road or in any area not easily accessible to collector. (Sec. 20-7)

(2) Collection of garbage trash shall be at least twice weekly (Sec. 20-8) with schedule to be set by director of sanitation. (Sec. 20-9)

(3) Collection of rubbish shall be at least once every 21 days. (Sec. 20-10)

(4) Furnitures, furnishing and appliances shall be collected at least once each year with date of collection to be announced in newspaper. (Sec. 20-11)

(5) The city shall not collect materials from construction sites and such material shall be removed by the owner of the property or by the contractor. (Sec. 20-12)

c. Transporation

Vehicles shall be so constructed so as to prevent spillage or leakage of materials onto the street or any public place. (Sec. 20-15 and 20-16)

2. Prohibited Activities

a. It shall be unlawful to dump any refuse or rubbish on any street, road or public highway. (Sec. 20-14)

b. It shall be unlawful to deposit or bury anywhere except in an approved container any offensive material. (Sec. 20-16)

c. It shall be unlawful to transport materials without protecting against spillage or leakage. (Sec. 20-16)

d. It shall be unlawful to place in any regular approved container any dangerous or explosvie material. (Sec. 2-16)

e. It shall be unlawful to disturb any approved containers. This does not apply to the owner or occupant of premises where containers rest.

V. ENFORCEMENT

1. Requirements for Permits

   a. All persons required to procure a commercial waste collection license shall submit an application to the director of finance.

   b. Application forms are to be provided by the city.

   c. Final decision made by city commission.

   d. Application shall be accompanied by statement from the director of sanitation that he is satisfied with applicant's equipment, method of collection and disposal area. (Sec. 20-20 and 20-21)

2. Liability of Violators

   a. Warnings that are issued shall give 24 hours for compliance and state the penalty for non-compliance.

   b. There shall be a reinspection 24 hours after issuance of warning.

   c. If violations continue, a summons for a court appearance shall be issued. (Sec. 20-18)

3. Insurance

   a. The following insurance is required of licenses prior to commencing business:

      (1) Workmen's compensation.

      (2) Automobile liability.

(a) $50,000 per person for each accident bodily injury liability.

(b) $100,000 for each accident bodily injury liability.

(c) $25,000 for each accident for property damage.

b. These insurance requirements are not construed as imposing liability upon the city or any official or employee.

MIAMI SPRINGS, FLORIDA

I. NAME OF ORDINANCE

An Ordinance Establishing Rules and Regulations Pertaining to Garbage and Trash Disposal, Ordinance No. 351, April 11, 1966.

II. GENERAL STATEMENT

1. Definitions

a. Commercial establishments includes any hotel, motel, apartment house, rooming house or tourist court which contains three (3) or more service units, and any other building, business or establishment of any nature or kind whatsoever other than a residential unit.

b. Garbage includes every refuse accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage or edibles, and any other matter, of any nature whatsoever, which is subject to decay, putrefaction and the generation of noxious or offensive gases or odors, or which, during or after decay, may serve as breeding or feeding material for flies or other germ-carrying insects.

c. Garbage can includes any plastic or galvanized metal container of the type commonly sold as a garbage can, of a capacity not less than twenty gallons and not to exceed thirty gallons, having two handles upon the sides thereof, or a bail by which it may be lifted, and a tight-fitting metal or plastic top with handle, and so constructed as to permit the free discharge of its contents.

d. Mobile container includes any metal 14 gauge steel garbage and waste container with the following minimum specifications: 77 3/8 inches long, 30 inches wide and 46 inches high at the back edge, tapering down to 41'' at loading edge and shall be mounted on four rubber wheels with roller bearings and/or metal slides. Said mobile container shall be capable of fitting hydraulic attachments for unloading. Said container shall be flyproof, ratproof and leakproof and shall be fitted with 14 gauge steel constructed covers.

e. Garden trash includes all accumulations of leaves, grass or shrubbery, cuttings and other refuse attending the care of lawns, shrubbery vines and trees.

f. Industrial wastes includes the waste products of canneries, slaughterhouses or packing plants, condemned food products, agricultural waste products, wastes and debris from brick, concrete block, roofing shingle or tile plants, debris and wastes accumulated from land clearing, excavating, building, rebuilding and altering of buildings, structures, roads, streets, sidewalks or parkways, and any waste materials which, because of their volume or nature, do not lend themselves to collection and incineration co-mingled with ordinary garbage and trash, or which, because of their nature or surrounding circumstances, should be, for reasons of safety or health, disposed of oftener than the city collection service schedule provided for this ordinance.

g. Noncombustible refuse includes refuse materials that are unburnable at ordinary incinerator temperatures (800 to 1800 degrees F) such as metals, mineral matter, large quantities of glass or crockery, metal furniture, auto bodies or parts, and other similar material or refuse not usual to housekeeping or to operation of stores or offices.

h. Rubbish includes refuse accumulations of paper, excelsior, rags or wooden or paper boxes or containers, sweepings, and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices, and other business places, and also any bottles, cans or other containers which, due to their ability to retain water, may serve as breeding places for mosquitoes or other water-breeding insects; rubbish shall not include noncombustible refuse, as defined above.

i. Waste: garbage, rubbish, garden trash, noncombustible refuse and industrial wastes, as herein defined.

III. ADMINISTRATION

1. Responsible Agency

Public Service Department

2. Functions and Powers

a. To approve plans for storage of garbage and waste. (Section 6)

b. To issue permits for garbage collection and disposal. (Section 12)

c. To enforce the provisions of this section. (Section 17:c)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Each commercial establishment shall have a sufficient number of garbage cans or mobile containers and each residential unit shall have a minimum of one garbage can. (Section 3)

b. Garbage cans and/or mobile containers shall be kept tightly covered at all times and shall be capable of being closed. (Section 3)

Reproduced from best available copy.

c. All garbage shall be thoroughly drained of all liquid and wrapped in paper. (Section 3)

d. Garbage cans or mobile containers shall be placed on the owner's property as near to an alley as is practicable. The property owner shall provide an off-set in the fence, wall or hedge of not less than 4 feet by 10 feet for the placement of garbage cans or mobile containers. (Section 4)

e. Every owner shall prevent the continued excessive and unsightly accumulation of garbage, garden trash, or other types of trash. (Section 7)

f. The materials transported upon public roads shall be adequately secured in such manner as to prevent the materials from being blown from the transporting vehicles. (Section 9)

g. Special collections outside the regular hours of operation may be performed for fees. (Section 11)

i. All owners of land shall keep said property in a safe, clean and presentable condition. (Section 18:a)

2. Prohibited Activities

a. It shall be unlawful to dump or bury any waste unless permission has been obtained from the owner. (Section 8)

b. It shall be unlawful to place in containers dangerous materials. (Section 10)

c. It shall be unlawful to permit on any lot any weeds, grass or other noxious matter to grow to a height of over six inches from the ground. (Section 17:a)

d. It shall be unlawful to permit any waste to remain on any premises. (Section 17b)

V. ENFORCEMENT

1. Requirements for Permits

a. A permit is required to engage in the business of garbage collection and disposal. (Section 12)

b. No person shall collect, transport or dispose of garbage or waste without first having secured a permit for such services. (Section 13)

c. Permits shall be issued for one year. The city reserves the right to refuse to renew permits at the expiration date. (Section 14a)

2. Liability for Violators

Permits may be cancelled for violations of the provisions of this ordinance. (Section 14a)

3. Administrative Proceedings

   a. The Director of Public Works shall give notice to the owner of any property, whenever there is an accumulation of trash and rubbish. Unless the unhealthy and hazardous condition is remedied within 3 days from the date of the notice, the city will undertake to correct the conditions and charge the expense thereof.

   b. If the owner shall file a demand for a hearing, the Director of Public Works shall proceed no further in the matter and refer the question to the next meeting of the City Council. (Section 18)

4. Penalties

   a. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by fine not exceeding $500 or imprisonment not exceeding 60 days or both. (Section 19)

   b. If no corrective action is taken within three days after the serving of notice, the violator shall be prosecuted in the municipal court. (Section 17c)

ST. PETERSBURG, FLORIDA

I. NAME OF ORDINANCE

Ordinance No. 154-E amending Chapter 19 of St. Petersburg City Code, December 1, 1968

II. GENERAL STATEMENT

1. Declaration of Policy

2. Definitions

a. Food and industrial processing wastes includes the waste products of canneries, slaughterhouses, packing plants, large quantities of condemned food products, industrial wastes from brick, concrete block, roofing shingle or tile plants, debris and wastes accumulated from land, clearing building, rebuilding and altering of buildings, structures, roads, streets, sidewalks, parkways, excavation by an owner or contractor or work performed by purchase and hire of labor and materials.

b. Garbage includes all refuse accumulations of animal, fruit, or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of, meats, fish, fowl, fruit or vegetables, and any other matter of any nature whatsoever, which is subject to decay, putrefaction and the generation of noxious or offensive gases or odors, or which during or after decay may serve as breeding or feeding materials for flies or other germ-carrying insects; and any bottles, cans or other containers which, due to their ability to retain water, may serve as breeding places for mosquitoes or other water breeding insects.

c. Garbage or rubbish can includes any metal can of the type commonly sold as a garbage can which has a capacity of not less than ten gallons and of not more than thirty gallons. Such can shall have two handles upon the sides of the can or a bail by which it may be lifted, and shall have a tight-fitting metal top or be of the type and size suitable to be emptied in a mechanical loading device approved by the City Manager.

d. Garden trash includes all accumulations of grass or shrubbery cuttings, and other refuse attending the care of lawns, shrubbery, vines, trees, and tree limbs.

e. Rubbish includes refuse accumulations of paper, excelsior, rags, or wooden or paper boxes or containers, sweepings, and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices, and other business places. Rubbish shall not include ‘‘noncombustible refuse,’’ as defined in this section, but shall include such garden trash as shall be capable of deposit in a rubbish container.

f. Noncombustibles and certain other refuse not acceptable for incineration includes refuse materials that are unburnable at ordinary incinerator temperatures, eight hundred degrees Fahrenheit to eighteen hundred degrees Fahrenheit, and certain other refuse which for reasons for engineering and/or health considerations are not acceptable for incineration. Examples are: tires, rocks, sand, bricks, roofing or other building materials, metals, mineral matter, large quantities of glass or crockery, metal furniture, auto bodies or parts and other similar material or refuse not usual to housekeeping or the operation of stores or offices. (Section 19.01)

III. ADMINISTRATION

1. Responsible Agency
   - a. Division of Sanitation
   - b. City Manager
2. Functions and Powers
   - a. Division of Sanitation
     - (1) To change the capacity of garbage in rubbish cans. (Section 19.02)
     - (2) To exempt eating establishments from wrapping wet garbage. (Section 19.03)
     - (3) To inspect and condemn all containers. (Section 19.06)
     - (4) To designate exemptions to collection frequency. (Section 19.07)
     - (5) To give permits to owner or occupant for private removal and disposal from his own premises. (Section 19.11)
   - b. City Manager
     - (1) To authorize persons, methods, and areas for burial of garbage. (Section 19.08)
     - (2) To issue and revoke license to remove, transport or dispose of any garbage or rubbish in the city. (Section 19.12 and 19.15)
     - (3) To place red tags on containers at premises where fees not paid. (Section 19.17)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All residents, occupants, or owners must provide approved garbage or rubbish cans. (Section 19.02)

b. Garbage and trash must be separate, and wet garbage must be drained and wrapped. (Section 19.03)

c. Containers must be kept tightly covered except when depositing or removing material. (Section 19.04)

d. Containers must be kept on own property and easily accessible to collectors. (Section 19.05)

e. All containers shall be emptied at least twice a week. (Section 19.07)

f. Other waste and noncombustible refuse must be disposed of by owner, occupant or constructor. (Section 19.18)

g. Garden trash up to one 30 gallon can or one box not to exceed 50 pounds in weight or bundle not to exceed 4 feet in length or 30 inches in diameter may be deposited with each regular collection day if placed next to regular garbage containers. (Section 19.20)

h. All fees must be made as prerequisite to city collection service. (Section 19.22)

2. Prohibited Activities

a. It shall be unlawful to deposit garbage in rubbish cans. (Section 19.03)

b. It shall be unlawful to put garbage or rubbish in a can in such a manner that the lid will not fit tightly. (Section 19.04)

c. It shall be unlawful to place any rubbish or garbage in a condemned can. (Section 19.06)

d. It shall be unlawful to bury garbage without a permit. (Section 19.08)

e. It shall be unlawful to burn garbage without a permit. (Section 19.09)

f. It shall be unlawful to deposit any garbage or rubbish upon premises of another, street, alley, walkway, public property, water, canal, lake or any other like area. (Section 19.10)

g. It shall be unlawful to remove old tags on cans or premises of those who have not paid fees.

h. It shall be unlawful to accumulate rubbish, garbage, or garbage trash longer than 4 days without having arranged for some approved means of disposal. (Sections 19.19 and 19.20)

V. ENFORCEMENT

1. Requirements for Permits, etc.

    a. A permit is required for private disposal, and a license is required for a person to collect, transport, or dispose of garbage originating in city. (Section 19.12)

    b. Application must be made to City Manager who may accept or reject without cause.

2. Inspection Procedure

    a. All containers are subject to inspection by Sanitation Department and subsequent approval or condemnation. (Section 19.06)

    b. The city must inspect all occupied residences or commercial establishment and remove all accumulated garbage or rubbish or notify occupants that city will not remove it. (Section 19.21)

3. Liability for Violators (Section 19.15)

    Revocation of license for violation of ordinance.

SARASOTA, FLORIDA

I. NAME OF ORDINANCE

Ordinance Relating to Disposal of Refuse. Ordinance No. 1648, 15 September 1979.

II. GENERAL STATEMENT

1. Definitions

   a. Refuse includes all useless, unused, unwanted or discarded materials of solid nature such as:

      (1) Food and industrial wastes includes the waste products of canneries, slaughterhouses, packing plants, large quantities of condemned food products, industrial waste from brick, concrete block, roofing shingle or tile plants, debris and wastes accumulated from land clearing, building, rebuilding and altering of buildings, structures, roads, streets, sidewalks, parkways, excavating by an owner or contractor or work performed by purchase and hire of labor and materials.

      (2) Garbage includes all refuse accumulations of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of, meats, fish, fowl, fruit or vegetables, and any other matter of any nature whatsoever which is subject to decay, putrefaction, and the generation of noxious or offensive gases or odors, of which during or after decay, may serve as breeding or feeding materials for flies or other germ-carrying insects and any bottles, cans or other containers which, due to their ability to retain water, may serve as breeding places for mosquitoes or other water-breeding insects.

      (3) Garden trash includes all accumulations of grass or shrubbery cuttings, and other refuse attending the care of lawns, shrubbery, vines, trees and tree limbs and stumps.

   b. Refuse container includes any container with a capacity of not less than thirty (30) gallons made of galvanized iron or durable plastic. Refuse containers may be of greater capacity or made of different material where approved by the Superintendent.

   c. Trash includes refuse accumulations of paper, excelsior, rags, wooden or paper boxes or containers, sweepings and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices and other business places. ''Trash'' shall not include ''garden trash,'' as defined in this section. (Section 1)

III. ADMINISTRATION

1. Responsible Agency

   a. Division of Refuse Collection and Disposal (Superintendent) (Section 1a)

   b. City Manager (Section 14i)

2. Functions and Powers

   a. Superintendent

      (1) To approve use of special containers. (Section 8b)

      (2) To designate locations for storage of refuse containers. (Section 10b)

      (3) To inspect for approval or condemnation all refuse containers. (Section 10b)

      (4) To direct disposal of infectious or highly inflammable or explosive materials. (Section 11c & d)

   b. City Manager

      To promulgate and enforce such rules and regulations not inconsistent with this Ordinance. (Section 14i)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. All residents, occupants, owners of private or business buildings shall either have their refuse disposed of by city or make arrangements for private disposal in accordance with this ordinance. (Sections 2 & 8)

   b. All owners, operators, contractors and custodians shall remove all food and industrial wastes, large tree stumps and spent oil and greases.

   c. All containers shall keep clean and sanitary and in a place easily accessible to collector. This place shall be in the alley, if premises served by an alley; otherwise containers shall be kept on property of owner in place designated by superintendent. (Section 10a)

   d. Condemned containers shall be immediately replaced by a new container. (Section 10c)

e. Sunken cans, if used, shall be so installed to be 6 inches above grade. (Section 10e)

f. All containers shall be emptied at least twice a week or more frequently if required or requested. (Section 11a)

g. Infectious, inflammable and explosive materials; and human or animal wastes shall not be placed in containers for regular collection. (Section 11c, d, & e)

h. No receptacle for storage of refuse may exceed 30 gallons in capacity unless it can be mechanically dumped. (Section 11f)

i. No refuse can shall exceed 50 pounds in weight.

j. All garbage shall be drained and deposited daily, with wet garbage being wrapped before being placed in the container. Containers shall be kept tightly covered at all times except when depositing refuse. (Section 12b)

k. Garden trash will be collected with the refuse if it is placed in containers or bundled or boxed in sizes and weights not exceeding limits set by Superintendent and is placed at the curb. Containers shall not exceed 30 gallons in capacity and 50 pounds in weight. Bundles or boxes shall not exceed 36 x 24 inches and 50 pounds in weight. (Sections 7b and 12c)

l. Usually large quantities of refuse collected upon payment of a special fee. (Section 12d)

m. Unless special arrangements are made, no refuse will be collected unless placed in proper containers. (Section 13)

2. Prohibited Activities

a. It shall be unlawful to permit accumulation of refuse for longer than 4 days without having arranged for its disposal. (Section 2)

b. It shall be unlawful to fail to provide sufficient refuse containers to contain all refuse between collections. (Section 4)

c. It shall be unlawful to remove or dispose, burn, bury or transport any garbage or trash without permit. (Sections 5, 6, & 14)

d. It shall be unlawful to deposit any refuse in premises of another, in any canal, waterway, rock pit, pool or lake or in any containers belonging to another. (Section 7)

e. It shall be unlawful to place any garbage or trash into a condemned container. (Section 10c)

f. It shall be unlawful to deposit any garbage or trash which will not permit the lid of such container to tightly fit into place. (Section 10d)

V. ENFORCEMENT

1. Requirements for Permits, etc.

a. Applications for permits to remove, dispose of garbage or trash shall specify name and address of persons who are to remove it, type of vehicle and location and manner of ultimate disposition of garbage. (Sections 5 & 14)

b. Applications for permits to bury garbage shall describe the approximate accumulation and the place, manner, and depth of burial, which shall not be less than 36 inches. (Section 6b)

2. Inspection Procedure

All refuse containers shall be subject to inspection and approval of condemnation by the Superintendent. (Section 10b)

3. Liability for Violators

Any special permit for collection or disposal of garbage or trash may be revoked at any time for failure to comply with any regulation or requirement. (Section 14h)

4. Administrative Proceedings

When any container is condemned, the Superintendent shall place or attach a notice to that effect on the container. (Section 10c)

5. Penalties

Any person found guilty of violating the provisions of this ordinance shall, upon conviction, be punished according to City Code. (Section 16)

6. Performance Bonds

A surety bond of $10,000 is required. (Section 14f)

GRANGEVILLE, IDAHO

I. NAME OF ORDINANCE

An Ordinance relating to Health and Sanitation, Ordinance No. 404, June 1, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

The maintenance of Health and Sanitation require, and it is the intention hereof to make the collection, removal and disposal of garbage, refuse and dead animals within the City of Grangeville, Idaho, compulsory and universal. (Section 2)

2. Definitions

a. Garbage includes all putrescible wastes, except sewage and body waste, including waste accumulated of animal food or vegetable matter, and waste that attends the preparation, use, cooking, dealing in or storing meat, fish, fowl, fruit and vegetables and all of such wastes or accumulations of vegetable matter of residences, restaurants, hotels and places where food is prepared for human consumption. The term ''garbage'' shall not include recognized industrial by-products.

b. Rubbish includes refuse other than garbage (tin cans, bottles, ashes, paper, pasteboard, cardboard or wooden boxes, brush, leaves, weeds and cuttings from trees, lawns, shrubs and gardens or other waste materials produced in normal course of doing business of every day living). The term ''rubbish'' shall not include recognized industrial by-products.

c. Refuse includes solid wastes, including garbage and rubbish.

d. Waste includes unwanted solid, liquid or gaseous materials. (Section 4)

III. ADMINISTRATION

1. Responsible Agency

Chief of Police under whom there shall be a Sanitary Inspector. (Section 5)

2. Functions and Powers

To issue licenses or franchises, exclusive or non-exclusive, for the collection, removal and disposal of refuse. (Section 3)

IV. SCOPE OF LEGISLATION

1. Standards and Legislation

   a. Every owner and occupant shall use the refuse collection and disposal system provided in this ordinance. (Section 6)

   b. Every owner or occupant shall keep portable approved metal or plastic containers for deposit of rubbish and garbage.

      (1) Garbage shall be wrapped prior to deposit.

      (2) Containers shall be watertight, not easily corrodible, rodent and fly proof, and equipped with handles and a close fitting lid.

      (3) Capacity shall be between 10-32 gallons capacity.

      (4) Containers shall be not less than 28 gauge galvanized metal or the plastic equivalent.

      (5) Lid shall not be removed except to place or remove garbage or rubbish from container.

      (6) Such containers shall be kept in sanitary condition and clear of all grease and decomposing material so that no odor will exist.

      (7) All containers shall be placed in place accessible to the collector. (Section 12)

   c. Rubbish consisting of cardboard, wooden boxes and garden trash may be deposited next to containers if bulk materials are in a can, box, sack, or container and brush shall be tied in bundles not more than 4 feet in length and 75 pounds in weight. (Section 14)

   d. Collection of rubbish and garbage shall be at least once a week. (Section 13)

   e. For premises and businesses with large accumulations of garbage, rubbish and garbage shall be deposited separately in suitable containers. (Section 15)

   f. Dirt and debris from construction or lawn renovation, rocks, stones, concrete, automobile bodies and parts, dead animals, building materials such as masonry, plaster, scrap lumber and similar materials, are not acceptable for collection, and the collector is not required to pick up the same. Such items shall be collected and disposed of by the building contractor, owner or occupant of the premises.

   g. For collection, suitable covered or enclosed trucks approved by the Inspector shall be used. (Section 20)

h. City may require each collector to have contract to use approved disposal site. (Section 18)

2. Prohibited Activities

a. It shall be unlawful for any person to engage in business of collecting, transporting, hauling, or conveying any refuse over the streets or alleys, or to dump or dispose of the same unless and until such person is licensed or has a contract or franchise. (Section 8)

b. It shall be unlawful to allow accumulation of garbage or refuse so as to create a nuisance or offensive odor or rodent harborage. (Section 9)

c. It shall be unlaswful for any person to burn, incinerate, bury, dump, collect, remove or dispose of rubbish or garbage except as provided.

(1) An approved interior incinerator from 7:00 a.m. to 7:00 p.m. shall be used for burning rubbish only.

(2) Exterior incinerator built of noncombustible material and covered by 1/2 inch wire mesh screen may be used to burn rubbish between 9:00 a.m. and 5:00 p.m.

(3) Burning of rubbish may be done on vacant lots by owner upon obtaining a permit from Fire Department.

(4) Ashes from approved burning sites shall be placed in suitable containers for collection, no glowing coals or smoldering material shall be left for collection, unless collector is notified. (Section 10)

d. It shall be unlawful for any person to deposit any waste material on any public or private property unless authorized to do so. (Section 11)

3. Approved Operations of Solid Waste Facilities

The City Council may designate a city disposal site. The site shall be chosen with regard to drainage and topography. All methods of disposal shall be approved and the inspector shall have right to enforce rules and regulations. (Section 18)

ENFORCEMENT

1. Requirements for Permits, etc.

The Mayor and Council have the sole authority to license, contract for, or otherwise provide all services and is authorized to enter into contracts for refuse collection and disposal. (Section 22)

2. Inspection Procedure

City inspector shall have right to go upon any premises at any reasonable time to inspect all places and containers where rubbish and for trash is accumulated or kept. (Section 21)

3. Liability for Violator

   a. Any failure to comply with this ordinance is sufficient reason for revocation of license, franchise or contract. (Section 18)

   b. If fees to city are not paid, the city may refuse sanitation service. (Section 7)

4. Administrative Proceedings

All complaints and problems shall be referred initially to Health and Sanitation Committee of City Council and any decision may be appealed to City Council at next regular meeting. (Section 6)

5. Penalties

Any person violating ordinance shall be guilty of a misdemeanor and if found guilty, shall be fined by sum not exceeding $300 or imprisonment not exceeding 30 days or both. (Section 25)

6. Performance Bonds

The City Council may require a bond in a reasonable amount. (Section 22)

IDAHO FALLS, IDAHO

I. NAME OF ORDINANCE

Chapter 5, Garbage, Idaho Falls Code, 10 December 1962 as amended through Ordinance No. 1176, 4 January 1967.

II. GENERAL STATEMENT

1. Declaration of Policy

It is necessary for the preservation of health, safety, sanitation, peace and public welfare that proper and adequate regulations be adopted to require property owners, tenants, occupants, or lessees to secure containers and receptables of sufficient kind and size in which to deposit waste, refuse, trash, garbage and rubbish for collection and removal at regular intervals. (Section 8-5-1)

2. Definitions

a. Refuse includes garbage and trash as defined in this section.

b. Garbage includes wastes resulting from the handling, preparation, cooking and consumption of food, and wastes from the handling and storage of produce.

c. Ashes and clinkers includes residue from fire used for cooking, heating or burning of trash, after combustion has entirely ceased and the residue has entirely cooled.

d. Trash includes wastes other than garbage, such as tin cans, bottles, dust, ashes, clinkers, paper, pasteboard, cardboard, or wooden boxes, lumber scraps and shavings, leaves, weeds, cuttings from trees, lawns, shrubs and gardens, other similar waste materials produced in normal course of every day living. The term ''trash'' shall not include recognized construction wastes, industrial wastes or by-products, carcasses of dead animals, appliances, furniture, automobile parts and bodies, and other similar items.

e. Collector includes any person holding a license or contract with the city, or employed and thereby authorized and designated by the City to collect, handle, transport and dispose of refuse.

f. Approved containers includes those containers which have been approved by the Inspector as to type and make. They shall be constructed of galvanized metal or other material which is strong, not easily corrodible, rodent, fly and dog proof, with two handles, a capacity of not more than 32 gallons, and have a tight fitting lid or cover. (Section 8-5-3)

III. ADMINISTRATION

1. Responsible Agency

   The Mayor and the City Council.

2. Functions and Powers

   a. To license, contract or perform all services pertaining to collection and disposal of refuse.

   b. To establish reasonable fees for refuse collection and disposal services.

   c. To enter into contracts with one or more contractors.

   d. To establish reasonable rules and regulations governing the conduct and operation of such licensees or contractors. (Section 8-5-17)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Every person shall use the refuse collection and disposal system. (Section 8-5-4)

   b. No person shall deposit refuse on or below the surface of the ground other than in a manner prescribed herein. (Section8-5-5)

   c. Refuse vehicles shall be so equipped and operated as to prevent refuse from being blown, dropped or spilled therefrom and offensive odors escaping therefrom. (Section 8-5-6)

   d. Every person shall provide and maintain approved containers of sufficient number and size to hold all refuse accumulating on the premises. (Section 8-5-7)

   e. All refuse that is mixed with water or other liquids shall be drained and wrapped in paper before being placed in the container. Thirty-two gallon containers when filled shall not weigh more than 75 pounds. The lid or cover of every refuse container shall be kept securely in place at all times. (Section 8-5-8)

   f. Grass, leaves, weeds, clippings from trees and shrubs, may be placed in cardboard cartons, bushel baskets or wooden boxes (Section 8-5-9)

   g. The burning of refuse, other than that prohibited in this section, shall be permitted between the hours of 9:00 a.m. and 4:00 p.m. only. Approved incinerators may be used to burn trash. (Section 8-5-11)

h. Refuse shall be collected at least once each week. (Section 8-5-12)

i. The disposal of all refuse collected shall be in the City Sanitary Landfill and under the supervision of the Inspector. (Section 8-5-19)

2. Prohibited Activities

   a. It shall be unlawful to accumulate any refuse upon any street so as to cause a public nuisance or a menace to public health. (Section 8-5-5)

   b. It shall be unlawful to burn any garbage, or carcasses of dead animals or dead fowls, or any other refuse. (Section 8-5-11)

   c. It shall be unlawful to burn grass or weeds off any lot without first receiving permission from the Fire Department. (Section 8-5-11)

   d. It shall be unlawful to meddle with refuse containers. (Section 8-5-14)

   e. It shall be unlawful to salvage except under the authority and direction of the Mayor and Council. (Section 8-5-15)

   f. It shall be unlawful to fail to appear in response to and as required by the citation. (Section 8-5-23)

ENFORCEMENT

1. Requirements for Permits

   Any person desiring a franchise for the collection and disposal of refuse shall make application to the City Council. Any franchise so granted shall be subject to the terms and conditions of the City Charter and this Chapter. (Section 8-5-16)

2. Inspection Procedure

   All appropriate officers of the City shall have the right of ingress or egress to any premises for the purpose of inspecting all places and containers where refuse is kept. (Section 8-5-18)

3. Liability for Violators

   Persons who are given a written citation for violation of any provision of this Chapter shall appear in Police Court within 5 days after such citation is issued. (Section 8-5-22)

MOSCOW, IDAHO

I. NAME OF ORDINANCE

An Ordinance Regulating and Controlling the Storage, Collection, Transportation and Disposal of Refuse, Ordinance No. 1112, August 15, 1966.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes all putrescible waste, except sewage and body wastes, including waste accumulated of animal, food or vegetable matter, and including waste that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables, and cans, boxes, cartons, papers or other objects which have food or other organic materials of any nature in or adhering thereto, and includes all of such wastes or accumulations of vegetable matter of residences, restaurants, hotels and places where food is prepared for human consumption.

b. Rubbish - includes refuse other than garbage (tin cans, bottles, ashes, paper, pasteboard, cardboard or wooden boxes, brush, leaves, weeds and cuttings from trees, lawns, shrubs and gardens or other waste materials accumulated in the normal course of everyday living).

c. Refuse - includes solid wastes, including garbage and rubbish.

d. Garbage Can - includes a standard tapered garbage can regularly sold in hardware stores as ''garbage cans'' and may be of various metals having a tight fitting lid, rodent proof and in no event weighs more than seventy-five pounds gross loaded weight, and does not exceed thirty gallons in capacity.

e. Owner or Occupant - includes every person in possession, charge or in control of any dwelling, flat, rooming house or any eating place, shop, place of business, manufacturing or business establishment where garbage or other refuse is created or accumulated.

f. Collector - includes the City of Moscow or any person, as defined in this Ordinance, employed by or holding a contract with the City to collect, handle, transport and dispose of refuse. (Section 1)

III. ADMINISTRATION

1. Responsible Agency

The responsible person, appointed by the City Council, shall work under the direction of the City Council and in cooperation with the City Health Officer or his representative. (Section 2)

2. Functions and powers of the Mayor and the Council.

   a. To license, contract or perform all services pertaining to sanitary collection and disposal.

   b. To establish reasonable fees for licenses.

   c. To establish reasonable rules and regulations. (Section 13)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Every person must use the refuse collection and disposal system. (Section 4)

   b. Every person must keep all garbage and rubbish in garbage cans or other approved type of container. All garbage must be wrapped in paper. All containers must be watertight and not easily corrodible, must be rodent and flyproof, and must be equipped with handles and a close-fitting lid. Such containers shall be not less than five gallons capacity, nor more than 30 gallons capacity, and shall be limited to 75 pounds. Such containers must be kept in sanitary conditions. (Section 7)

   c. All garbage and rubbish must be removed from private residences at least once a week. Business establishments must receive service daily except Sundays and holidays. (Section 8)

   d. Bulk materials, such as leaves, shall be in a can, box or sack for ease of loading, and brush and similar material shall be tied in bundles not to exceed four feet in length. (Section 9)

   e. Refuse must be enclosed to prevent scattering or blowing or loss of the refuse being transported. (Section 10)

   f. The City Council may designate the City disposal site. The location of the site shall be chosen with regard to drainage and topography for the operation of sanitary landfill. The method of earth fill and amount and depth of layers of earth and regulations for control of vermin shall be prescribed by the City. (Section 11)

   g. Bulk and dangerous materials are not acceptable for regular collection. (Section 14)

h. Hours for collection shall be between 7:00 a.m. and 9:00 p.m. for the residential area and between 5:00 a.m. and 9:00 p.m. for business zone. (Section 15)

2. Prohibited Activities

   a. It shall be unlawful to accumulate refuse on any premise. (Section 5)

   b. It shall be unlawful to burn, incinerate, bury or dump garbage. No person shall litter any rubbish or garbage in or on any street. (Section 6)

   c. It shall be unlawful to maintain any bonfire or rubbish fire without a proper authorization. (Section 6A and 6B)

V. ENFORCEMENT

1. Requirements for Permits

   a. Refuse collectors shall have licenses. (Section 3)

   b. A permit is required to maintain any bonfire or rubbish fire. (Section 6A)

2. Inspection Procedure

   a. The inspector has the authority of a police officer to enforce all ordinances governing the City disposal site. (Section 11)

   b. No person shall deny the inspector the right of ingress or egress to any premises for the purpose of inspection. (Section 12)

3. Administrative Proceedings

   Collection fee and rate changes will be established after first having published a notice of the hearing ten days prior to such hearing. (Section 16)

4. Penalties

   Any person who violates the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any amount not exceeding $100.00 or by imprisonment not exceeding 30 days, or by both. (Section 20)

5. Performance Bond

   The City Council may require any collector or contractor a bond in a reasonable amount, the condition of which shall be the satisfactory performance of the contract. (Section 13)

MOLINE, ILLINOIS

I. NAME OF ORDINANCE

''Garbage, Refuse and Scavengers'' Chapter 21 of Revised Ordinances of the City of Moline, Illinois, February 28, 1962.

II. GENERAL STATEMENT

Definitions

a. Garbage includes animal, vegetable or mineral waste products resulting from the handling, storage, preparation, cooking or consumption of food or any matter that may decompose and become offensive or dangerous to health, including but not limited to body waste of household pets.

b. Refuse includes ashes, miscellaneous rubbish and commercial rubbish and garbage.

c. Miscellaneous rubbish includes material or substance discarded as worthless, such as paper, rags, cardboard, wearing apparel, excelsior, sticks, chips, leaves, straw, bottles, glass, crockery, metals, plastics, tin cans and other discarded household articles.

d. Commercial rubbish includes trade wastes such as packing, paper, cardboard, excelsior, straw, crates, boxes, acids, oils, chemicals, grease, tires, vehicle and aircraft parts, discarded merchandise, glass ,plastic ,metals, crockery ashes, cinders, garbage and other waste products or materials including construction waste, such as earth, plaster, metals, wood, plastics, tile, brick, concrete, terra cotta, slate, marble and minerals.

e. Class A Scavenger includes any person or firm engaged in the collection, removal, transportation and disposal of the contents of any vault, tank or container, whether above or below grade, which consists of garbage.

f. Class B Scavenger includes any person or firm engaged in the collection, removal, transportation or disposal of refuse. (Section 21.01)

III. ADMINISTRATION

1. Responsible Agency

   a. Sanitation Officer

   b. Sanitation Foreman

2. Functions and Powers

   a. Sanitation Officer

      (1) To administer and supervise garbage and refuse collection and disposal.

      (2) To employ such people as the Mayor and Council deem necessary.

      (3) To submit monthly report. (Section 21.02)

   b. Sanitation Foreman

      (1) To assist Sanitation Officer in supervision of garbage and refuse collection and disposal.

      (2) To direct personnel.

      (3) To investigate complaints.

      (4) To inspect unfit containers. (Section 21.03)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Storage

      (1) Occupant or owner of building where garbage is created shall provide and maintain in good repair a sufficient number of containers. Said containers shall be metal, have tight covers, be watertight, have suitable handles and be between 8-20 gallons. (Section 21.05a)

      (2) In an apartment or tenement, owner or occupant shall provide at least one container for each 2 persons residing in the building. (Section 21.05)

      (3) Ashes may be placed in metal containers with capacity not to exceed 20 gallons or 2¾ cubic feet. Miscellaneous rubbish shall be placed in suitable containers not exceeding 100 pounds when full. Large discarded household articles shall not exceed 10 cubic feet in content and not weigh more than 100 pounds. (Section 21.05b)

      (4) In apartment buildings one or 1½ cubic yard metal container equipped for mechanical dumping may be used in place of eight 20 gallon containers. (Section 21.05c)

      (5) Containers shall be placed at collection point by occupant or owner of premise. (Section 21.06)

(6) Containers shall be cleaned at least twice a year. (Section 21.07)

(7) Garbage must be wrapped and placed in disposable containers. (Section 21.04)

b. Disposal

(1) Commercial rubbish shall be disposed of at the expense of the occupant or owner by him or by a licensed class B scavenger. (Section 21.12)

(2) Miscellaneous rubbish shall be collected as provided for in this ordinance if placed in suitable containers. (Section 21.13)

(3) The municipal disposal area is the area designated by the City Council and approved by Board of Health. (Section 21.17)

(4) Garbage, refuse, miscellaneous refuse or commercial refuse may not be dumped within the city limits except with express permission from the City Council. If permission granted, such dumping must be according the rules and regulations of the Board of Health. Such permission may be withdrawn at any time upon 24 hours written notice. (Section 21.19)

c. Standards for Class B Scavengers (Section 21.20)

(1) All equipment used for collection must be of the packer type or other approved design.

(2) All ordinances and laws which are applicable must be complied with.

2. Prohibited Activities

a. It shall be unlawful to place out for collection garbage, ashes or miscellaneous rubbish unless properly prepared. These materials must be kept in proper containers and no person shall disturb the container contents. (Section 21.04)

b. It shall be unlawful to place in refuse or garbage containers any infected or contagious refuse. All such refuse shall be burned on premises and the ashes placed in suitable containers. If burning is impossible, the Sanitation officer shall supervise the collection of said refuse. (Section 21.08)

c. It shall be unlawful to place inflammable or explosive materials in containers used for garbage or refuse. (Section 21.09)

d. It shall be unlawful to convey garbage or refuse that is putrid, offensive in odor or constitutes a health hazard, except in a tightly closed container or especially constructed container approved by the Board of Health. (Section 21.11)

V. ENFORCEMENT

1. Requirements for Permits

Application must be made to the city clerk and a license must be obtained for each vehicle used. (Section 21.14)

2. Administrative Proceedings

a. Whenever a licensee has not complied with a section of this ordinance, the health authority may give a written notice to comply within a period not to exceed 30 days. If corrections are not made, the license may be suspended. The licensee may request a hearing within 3 days after receipt of the notice.

b. The Board of Health shall call a hearing for serious and/or repeated violations.

c. Hearings shall be conducted by the Board of Health at a time designated by the Chairman. They shall sustain, modify or rescind any official notice or order under consideration and furnish a written report to the license holder. (Section 21.21)

3. Penalties

A fine of $5 - 100 with each day of violation constituting separate and distinct offense. (Section 21.18)

4. Performance Bonds

$50. (Section 21.14)

RICHMOND, INDIANA

I. NAME OF ORDINANCE

Garbage and Rubbish Control Ordinance, Ordinance No. 2432-1969, effective May 1, 1970.

II. GENERAL STATEMENT

1. Declaration of Policy.

This ordinance is designed to control solid waste material in the City of Richmond, Indiana, by providing for the establishment and enforcement of rules and regulations, providing for permits for private operators, establishing limitations and prohibiting certain acts causing solid waste disposal problems, and providing for fines for violation of the provisions of this ordinance. (Section 1.2)

2. Definitions

a. Bulky Items includes any refuse which because of its size, shape or weight cannot be handled by normal disposal methods.

b. Construction Refuse includes all refuse resulting from the construction, alteration or repair of any building, structure, roadway, sidewalk, etc.

c. Garbage includes those putrescible wastes resulting from the growing, handling, storage, preparation, cooking, and consumption of food.

d. Industrial Refuse includes solid refuse resulting from any manufacturing process.

e. Open Burning includes any fire from which the products of combustion are emitted directly into the outdoor atmosphere without passing through a stack.

f. Refuse includes all putrescible and non-putrescible solid wastes, with the exception of body wastes, and includes garbage, rubbish, ashes, street sweepings, dead animals, and industrial and construction wastes.

g. Rubbish includes all non-putrescible wastes including all combustible wastes including non-combustible substances. (Section 1.3)

III. ADMINISTRATION

1. Responsible Agency

Board of Sanitary Commissioners, headed by the Superintendent of the City Sanitary District.

2. Functions and Powers

   a. To administer and enforce this ordinance.

      (1) Receive and institute complaints.

      (2) Institute enforcement actions.

      (3) Prepare and execute public relations program. (Section 2.1B)

   b. To collect and dispose of all garbage and rubbish within the City. (Section 2.1C)

   c. To issue private operators permits. (Section 3.1)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Storage

      (1) All containers and the manner of preparation of garbage trash shall be approved by the Board of Sanitary Commissioners and adopted by regulation. (Section 4.1A)

      (2) Containers shall be located at a readily accessible place for removal. Where collection is from street, containers shall be placed adjacent to the street in a neat, orderly and sanitary manner. (Section 4.1B)

   b. Collection

      (1) Garbage shall be collected at least once a week. (Section 4.2A)

      (2) Types and locations of businesses and industries to be provided with collection service shall be at the direction of the superintendent with the approval of the Board. (Section 4.2B)

      (3) Construction and industrial refuse shall not be collected. (Section 4.1C)

      (4) Bulky items will only be collected by prior arrangement. (Section 4.2C)

      (5) No explosive material shall be placed in any container. (Section 4.3C)

c. Disposal

(1) There shall be no burning without a permit from the Sanitary Commission. (Section 5A)

(2) All disposal of garbage shall be by an approved method of incineration, garbage grinding, or sanitary landfill. (Section 5B)

2. Prohibited Activities

a. It shall be unlawful to accumulate garbage and rubbish. (Section 5.1)

b. It shall be unlawful to deposit any garbage or rubbish in any place unless enclosed in an approved container. (Section 5.2A)

c. It shall be unlawful to burn any refuse without a permit. (Section 5.3C)

V. ENFORCEMENT

1. Requirements for Permits

a. A private operator permit is required to collect, transport, or dispose of garbage or rubbish. (Section 2.1D)

b. Application shall be made to Board of Sanitary Commissioners which shall cause an inspection to be made prior to issuing certificate of approval. (Section 3.2)

c. Permits shall not be transferable. (Section 3.3B)

d. The fee shall be $30.00 per truck per year beginning as of January 1. (Section 3.3A)

2. Penalties

Any person who violates any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall pay a fine of not more than $300.00. For the second and each subsequent offense the fine shall not exceed $300.00 to which may be added imprisonment not to exceed 90 days. (Section 6.1)

3. Insurance

Before issuance of any permit, the applicant shall first furnish a certificate of insurance. The insurance policy shall provide coverage in the amount of $15,000 for one person, $30,000 for two or more persons, and $30,000 for property damage. (Section 3.2)

BETTENDORF, IOWA

I. NAME OF ORDINANCE

Ordinance No. 41-68, enacting new Chapter 8 of Bettendorf Municipal Code January 1, 1969. As amended by Ordinance Nos. 1-69 and 18-69.

II. GENERAL STATEMENT

Definitions (Section 8.01)

a. Refuse includes all solid wastes.

b. Garbage includes all putrescible animal or vegetable wastes resulting from handling, preparation, cooking and consumption of food in any private dwelling house, multiple dwelling, hotel restaurant, building or institution.

c. Rubbish includes all cardboard, plastic, metal or glass containers, waste paper, rags, sweepings, small pieces of wood, excelsior, rubber, leather, leaves, lawn cuttings, tree trimmings and hedge trimmings not over five (5) inches in diameter nor over four (4) feet in length, tree roots or stumps small enough to be contained in a bushel basket, articles not more than eight (8) feet in length nor more than fifty (50) pounds in weight, and small rocks and similar waste materials that ordinarily accumulate around a home, business or industry. It shall not include garbage, ashes, bulk refuse, dead animals,hazardous refuse, industrial waste or building waste.

d. Mixed refuse includes garbage and rubbish,placed and stored together.

e. Ashes includes residue of the combustion of solid fuels.

f. Bulk refuse includes articles more than eight (8) feet in length or more than fifty (50) pounds in weight, tree trimmings and hedge trimmings over five (5) inches in diameter or over four (4) feet in length, and tree roots or stumps larger than can be contained in a bushel basket.

g. Hazardous refuse includes any refuse which would in handling constitute a danger to city employees or to city property.

h. Household waste includes garbage, rubbish, mixed refuse and cool ashes originating in and around private dwellings, multiple dwellings, living quarters or dining facilities located in schools, colleges or universities.

i. Institutional waste includes garbage, rubbish, mixed refuse and cool ashes originating in and around tax exempt hospitals and public, charitable, philanthropic or religious institutions conducted for the benefit of the public or a recognized section of the public. Institutions not covered by the foregoing definition shall be considered commercial establishments.

j. Commercial waste includes garbage, rubbish, mixed refuse and cool ashes originating in and around commercial establishments, industrial establishments, hotels, restaurants, cafeterias, grocery stores and non-public institutions.

k. Industrial waste includes any and all residue resulting directly from industrial or manufacturing operations, it shall not include waste originating from commercial operations of an industrial establishment, nor shall it include waste resulting from the commercial operations of persons, firms or corporations engaged in the construction of buildings, the repairs of streets or buildings, demolition or excavation. Residue or waste resulting from tree or landscaping services shall also be excluded.

l. Building waste includes any and all refuse or residue resulting directly from building construction, reconstruction, repair or demolition; from grading, shrubbing, or other incidental work in connection with any premises; or from replacement of building equipment or appliances.

m. Building debris includes any refuse or residue resulting from minor non-commercial repairs to a private dwelling made by the owner or occupant thereof himself.

n. Licensed waste collector includes any person, firm or corporation who has obtained a license as specified herein from the City of Bettendorf to collect or transport, for a consideration, bulk refuse, household waste, commercial waste, industrial waste, building waste or building debris, regardless of the place of origin, over the streets of the city.

o. Private waste collector includes any person, firm or corporation who collects bulk refuse, household waste, building waste or building debris from premises owned or occupied by him within the corporation limits of the City of Bettendorf and transports said wastes over the streets of the city.

p. City waste collectors includes persons or firms employed by the City of Bettendorf from time to time to collect and dispose of household waste, institutional waste, commercial waste or building debris from within the confines of the city.

III. ADMINISTRATION

1. Responsible Agency

Director of Department of Public Works. (Section 8.02)

2. Functions and Powers

   a. To collect, transport, and dispose of all refuse and to adopt reasonable regulations to carry out the intent of the ordinance. (Sections 8.02 and 8.09)

   b. To notify owners of non-conforming containers. (Section 8.06c)

   c. To investigate license applicants. (Section 8.07b)

   d. To approve or disapprove of license applications. (Section 8.07c)

IV. SCOPE OF LEGISLATION

1. Standards of Regulations

   a. General

      (1) Every owner, tenant, or other person, firm or corporation producing or responsible for refuse shall provide sufficient containers or other storage facilities to contain the accumulation. These containers shall be stored on private property except on collection day. (Sections 8.05, 8.06 and 8.07j)

      (2) No garbage, mixed refuse, or dead animals shall be retained more than 7 days on any premises except at a public disposal site. No rubbish, ashes, bulk refuse, building waste or building debris shall be retained for more than 15 days on any premises except on public disposal site. (Section 8.05)

      (3) Collection may be made by City Waste Collectors, licensed waste collectors or private waste collectors. Private collectors may only collect their own refuse. (Sections 8.06, 8.07 and 8.08)

      (4) Collections shall be made at least once a week for garbage and mixed refuse. All other household waste, institutional waste, commercial waste, and building debris shall be collected when such refuse is prepared and stored properly. (Sections 8.06 and 8.07k)

   b. City Collection

      (1) Garbage, rubbish, coal ashes and building debris shall be separated and stored in separate containers except that garbage and rubbish may be combined in a container as mixed refuse.

         (a) Garbage shall be drained and wrapped when placed in containers.

(b) All containers included in rubbish shall be dry. All paper scraps, letters, sweepings, etc. shall be dry and secured in small packages. Newspapers, magazines, books, etc. shall be securely tied in bundles not to exceed 20 in. x 20 in. x 26 in. Tree trimmings and hedge trimmings defined as rubbish shall be tightly tied in bundles with maximum diameter of 2 feet and maximum weight of 50 pounds.

(c) Ashes shall be cool and dry when placed in containers. (Section 8.06b)

(2) There shall be sufficient containers that conform to following specifications:

(a) Garbage containers, mixed refuse containers, and ash containers shall be portable, sanitary, water tight, and have close fitting covers and adequate handles. They must be easily handled by one man, with maximum capacity of 32 gallons and maximum full weight of 50 pounds.

(b) Rubbish containers, and building debris containers shall be identical to garbage containers except that containers for leaves, tree trimmings and other similar materials may be placed in bags which do not exceed 50 pounds in weight. Small rocks and other similar materials may be placed in metal containers with handles if weight does not exceed 50 pounds. (Section 8.06c)

(3) Where property abuts a public alley, refuse shall, on collection day, be placed in plain view adjacent to the alley. If the property does not abut a public alley, refuse shall be placed in plain view at the curb line or on the shoulder of a public street. Collectors shall not enter houses, enclosed porches, garages or similar enclosures to make collections. Where private road or access way has all weather surface and can accommodate collection vehicle, collection will be made if 2 or more dwelling units are upon said road or access way. (Section 8.06d)

c. Private Collection

(1) Each licensed collector shall maintain an adequate and prompt pick-up service to service all complaints or missed service and/or improper handling. (Section 8.07L)

(2) Vehicles used by licensed collector shall be kept in a sanitary condition and constructed so that no leakage or spillage occurs when vehicle is collecting or transporting refuse. Vehicles for garbage or mixed refuse shall be packer type or other approved type vehicles. Vehicles for rubbish, debris and similar materials shall have a top or canvas

cover to prevent scattering of materials. (Section 8.07i)

2. Prohibited Activities

   a. It shall be unlawful to deposit any refuse on any premises, vacant property, street, alley or in or about any body of water. This shall not apply to public disposal sites. (Section 8.03)

   b. It shall be unlawful for any one except licensed, private, or city waste collectors to collect or transport refuse, and it is unlawful for anyone to permit collectors other than these to collect refuse. (Section 8.04)

   c. It shall be unlawful for anyone to collect refuse except from property owned or occupied by him without obtaining a license. This does not apply to city waste collectors. (Section 8.07)

3. Approved Operations of Solid Waste Facilities.

   a. Acceptable refuse may be deposited at a sanitary landfill site.

   b. Sites are under control of Director of Public Works who make any necessary rules and regulations.

   c. Garbage, rubbish, mixed refuse, ashes and building debris may be disposed of at a landfill. Other refuse may be disposed of at a landfill only upon approval of Director of Public Works.

   d. There shall be no burning or salvaging at the landfill site without permission of the Director of Public Works. (Section 8.09)

V. ADMINISTRATION

1. Requirements for Permits, Licenses, etc.

   Application shall be made to city clerk who forwards it to Director. The director shall make inspection and recommend approval or disapproval. If the license is issued, it expires on December 31 of year of issue. License shall be renewed from year to year by proper application. (Section 8.07)

2. Inspection Procedure

   After receipt of application, the director shall inspect applicant's equipment proposed to be used, methods of operations, pick-up service to be maintained and affidavit or insurance. (Section 8.04)

3. Liability for Violators

   License may be revoked after notice to licensee. (Section 8.07)

4. Administrative Proceedings

a. Nonconforming containers

Any nonconforming container on city collection route shall be promptly replaced upon receipt of notice to that effect from the director. If container not replaced within 10 days after service of notice, said container shall be considered rubbish and shall be collected by the Department. (Section 8.06c)

b. Disapproved license applications

(1) If the Director disapproves the application, he shall notify the applicant of deficiencies and give 30 days for correction and if they are corrected, the license shall be granted.

(2) Upon final disapproval, the application fee shall be forfeited. The applicant may appeal the denial to the City Council within 30 days from notice of denial. The City Council may issue the license after review of application and review of director's disapproval. (Section 8.07)

5. Penalties

Any person, firm, or corporation who violates this ordinance shall be guilty of a misdemeanor and punishable as such. (Section 8.10)

6. Insurance

a. The insurance policy shall provide Bodily Injury Liability in the amounts of $250,000 per person, and $500,000 per accident.

b. The insurance policy shall provide for property damage in the amount of $100,000 per accident. (Section 8.07)

DUBUQUE, IOWA

I. NAME OF ORDINANCES

Ordinance for the collection of Garbage and Refuse and restricting the private collection thereof (Ordinance No. 3-68, cited as 3-Sec) and Ordinance for the Disposal of Garbage and Refuse and the Licensing and Regulation of Private Landfill Operations (Ordinance No. 4-68, cited as 4-Sec), February 12, 1968.

II. GENERAL STATEMENT

Definitions

a. Garbage includes refuse from food incidental to its preparation or use for human consumption.

b. Refuse includes all solid waste except construction materials. (3-Sec. 1 and 4-Sec. 1)

III. ADMINISTRATION

1. Responsible Agency

City Manager (3-Sec. 2 and 4-Sec. 2)

2. Functions and Powers

a. To employ necessary personnel and equipment. (3-Sec. 2 and 4-Sec. 2)

b. To change and amend collection schedules as necessary. (3-Sec. 2b)

c. To exclude certain materials from landfill.

d. [illegible] issue licenses. (3-Sec. 7 and 4-Sec. 6)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Collection

(1) Collections to be made not more than twice weekly. (3-Sec. 2a)

(2) Quantity shall not exceed 120 gallons per week. (3-Sec. 2e)

(3) Garbage or refuse shall be hauled in enclosed, watertight vehicles. (3-Sec. 8)

(4) Containers shall be between 9 and 31 gallons and weigh not more than 65 pounds. They shall be watertight and be fitted with a tight fitting cover and handle. (3-Sec. 3)

b. Storage

(1) When collections made from alley, containers to be placed at property line abutting alley. (3-Sec. 2c)

(2) When collections made from street, containers to be placed at curb. (3-Sec. 2d)

(3) Refuse shall be placed in suitable containers. Bundles and boxes may be no longer than 20 x 20 x 36 inches and tree limbs may be tied in bundles no longer than 48 inches in length and 18 inches in diameter. (3-Sec. 3)

(4) All garbage refuse which may attract flies, rodents or dogs shall be drained, wrapped and placed in covered containers. (3-Sec. 7)

2. Prohibited Activities

a. It shall be unlawful to permit accumulation of garbage that is a health or sanitation hazard in opinion of health officer. (3-Sec. 5)

b. It shall be unlawful to permit accumulation of any refuse trash or papers within or close to any building unless stored in containers. (3-Sec. 6)

c. It shall be unlawful to haul garbage or refuse unless in approved containers securely fastened or in enclosed vehicle which is watertight and able to prevent spillage. (3-Sec. 8)

d. It shall be unlawful to deposit or offer for collection hazardous materials. (3-Sec. 10)

e. It shall be unlawful to litter on the streets, sidewalks, public or private property. (3-Sec. 11)

f. It shall be unlawful to permanently dispose of garbage or refuse unless such land has been designated a public landfill site. (4-Sec. 3)

g. It shall be unlawful to charge or request a fee for disposal at a private licensed landfill site since payment of general collection fee by private collection covers disposal. (4-Sec. 8)

h. It shall be unlawful to sell or install any device to burn garbage or refuse until a license has been obtained except when device is to be operated by the city. (4-Sec. 9)

i. It shall be unlawful to operate or permit the operation of an incinerator except where licensed or operated by city. (4-Sec. 10)

j. It shall be unlawful to introduce any material in a sewer except through sanitary convenience or a screening process. (4-Sec. 11)

k. It shall be unlawful to use public landfill without paying fees. (4-Sec. 12)

3. Approved Operations of Solid Waste Facilities.

a. Disposal sites shall be open to public on designated days and hours. (4-Sec. 2c)

b. Garbage and refuse at landfill shall be covered daily. (4-Sec. 2d)

c. Rodents and insects shall be controlled. (4-Sec. 2d)

d. The disposal area shall be maintained litter-free. (4-Sec. 2d)

e. Burning shall be prohibited except in special circumstances. (4-Sec. 2d)

f. Bulky, hazardous and burning material may not be deposited at the landfill without special permission. (4-Sec. 5)

V. ENFORCEMENT

1. Requirements for Permits

a. No person, firm or corporation shall engage in the business of removing or hauling garbage or rubbish or the business of operating a sanitary landfill without a license from City Manager. Applications shall include details of proposed operation.

b. Fees are $5.00 per year per vehicle for collection and $100 per year per landfill. (3-Sec. 7 and 4-Sec. 6)

2. Administrative Proceedings

a. If a landfill operation is found detrimental to health and welfare of public or contrary to this ordinance, the operator shall be notified in writing and given reasonable time for corrections.

b. If uncorrected, the City, in addition to other available means, may correct or hire personnel to correct the deficiencies with all expenses incurred charged to the operator.. (4-Sec. 7)

3. Penalties (3-Sec. 15 and 4-Sec. 15)

Any violation is a misdemeanor and punishable by a fine of not more than $100 or imprisonment for more than 30 days. (3-Sec. 15 and 4-Sec. 15)

KANSAS CITY, KANSAS

I. NAME OF ORDINANCE

Kansas City Code; Chapter 18, Garbage and Trash, Kansas City Code June 3, 1954 and amended August 19, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

The Code is concerned with the collection, storage, and disposal of garbage and trash in the city.

2. Definitions

a. Garbage includes waste from the preparation, cooking and consumption of food, market refuse, and waste from the handling, storage and sale of produce.

b. Trash includes the following:

(1) Combustible: paper, cartons, boxes, barrels, wood and excelsior, yard trimmings, wood furniture, bedding.

(2) Noncombustible: metals, tin cans, metal furniture, dirt, small quantities of rock, brick and pieces of concrete; glass, crockery, other mineral refuse.

(3) Ashes: residue from fires used for cooking and for heating buildings.

(4) Street rubbish: street sweepings, dirt, leaves, catch-basin dirt, contents of litter receptacles.

(5) Exceptions: earth and wastes from building operations or solid wastes resulting from industrial processes and manufacturing operations. (Section 18-1)

III. ADMINISTRATION

1. Responsible Agency

a. Health Department (Section 18-2)

b. Joint City - County Health Department. (Section 18-67)

2. Functions and Powers

a. Health Department

(1) To control the storage, collection, and disposal of garbage and trash.

(2) To provide a public garbage and trash collection and disposal service from the premises within the city.

(3) To approve and regulate the establishment, maintenance, and operation of private garbage and trash collection systems and garbage and trash disposal methods and sites. (Section 18-2)

b. Joint City - County Health Department.

Enforce provisions of ordinance regulation solid waste disposal sites. (Section 18-67)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Storage

(1) All garbage cans shall be of galvanized or other rust-resistant metal with tight-fitting covers and strong handles on the outside and shall be water-tight. (Section 18-3(1))

(2) Trash, other than ashes, shall be stored in durable, rust-resisting, nonabsorbent, water-tight containers. (Section 18-4:2)

(3) Ashes shall be stored in fire-resistant, durable, non-absorbent, water-tight containers with close-fitting covers. (Section 18-4:2)

b. Collection

(1) Household garbage and trash shall be collected by the city garbage collector. Commercial, business and industrial garbage and trash shall be collected by a private collector. (Section 18-5)

(2) All vehicles used for the collection and removal of garbage shall be kept in a clean and sanitary condition. (Section 18-7)

c. Disposal

(1) The Commissioner of finance, health and public property shall designate a place at which trash and garbage may be dumped and disposed of. (Section 18-9)

(2) There shall be an attendant at all public dumps at all times when the dumps are open. (Section 18-12)

2. Prohibited Activities

   a. It shall be unlawful to deposit in a garbage can any waste paper, trash, tin cans, rubbish or any refuse other than garbage. (Section 18-3:2)

   b. It shall be unlawful to permit trash to accumulate on any premises except in approved containers. (Section 18-4:3)

   c. It shall be unlawful to dump any garbage upon any public dump. (Section 18-10)

   d. It shall be unlawful to deposit any waste material upon any street, except in a disposal unit.

   e. It shall be unlawful to attempt to burn garbage, noncombustible rubbish or trash, which will not burn at incinerator temperatures of 1300 to 2000 F. (Section 18-17)

3. Approved Operations of Solid Waste Facilities.

   a. The design of the landfill shall include one or more topographic maps containing all pertinent information.

   b. A soils and geological investigation shall be included with the plans.

   c. The soil used as cover material shall be such character that it can be compacted to provide a tight seal, does not crack excessively when dry, and is free of putrescible materials and large objects.

   d. Suitable provisions must be taken to prevent water pollution and control soil erosion.

   e. Adequate numbers of suitable equipment shall be provided.

   f. Plans and specifications shall be submitted to the health department for review and approval.

   g. An all weather access road shall be provided to the entrance of the landfill.

   h. Initial development of the site must be completed prior to filling any waste.

   i. Suitable shelter and sanitary facilities for employees must be provided.

   j. Telephone or radio communications shall be provided at the landfill site.

   k. Adequate fire protection measures must be taken.

l. Scales approved by the license department shall be provided.

m. Access shall be limited to those authorized to use the site and only taken an attendant is present.

n. The unloading of refuse shall be supervised and confined to as small an area as possible.

o. The working area shall be confined to a size that can easily be compacted daily with the available equipment.

p. Refuse shall be spread and compacted in layers 2-3 feet thick. Individual lifts shall not exceed 8 feet. Daily cover shall be at 6 inches, intermediate cover at least one foot and final cover at least 2 feet in depth. Upon completion of the landfill, there shall be monthly inspection.

q. Inspection of the site shall be made before the equipment is removed.

r. Vector control and dust control measures must be taken.

s. Final grading shall be made to control surface waters and area shall be sealed.

t. Animals shall be excluded from the site. (Section 18-65)

V. ENFORCEMENT

1. Requirements for Permits

a. A permit is required to engage in the business of garbage and trash collection or disposal. (Section 18-40, 18-52 and 18-64)

b. Application for landfill shall be granted or denied within 30 days after application. An investigation of the application shall be made by the Health Office. Section 18-68)

2. Inspection Procedure

The Health Officer has the power to enter at reasonable times upon private or public property for the purpose of inspection. (Sections 18-17 and 18-67)

3. Liability for Violators

The Health Officer may give notice of alleged violation to the violator. (Section 18-18:1) Such notice shall be in writing and give reasonable time to make necessary corrections. (Section 18-69A)

4. Administrative Proceedings

Any person who is affected by any notice may request a hearing before the Health Officer within 10 days after issuance of the notice. (Sections 18-18 and 18-69) After such hearing, the Health Officer shall sustain, modify, or withdraw the notice. (Sections 18-18:3 and 18-56)

5. Penalties

   a. It is a misdemeanor to allow any dead tree to overhang a public way or private property. Any violator is subject to a fine of not exceeding $500.00 or imprisoned for ninety days, or both. (Sections 18-19:2 and 18-70)

   b. Tickets may be issued by any agent or officer of the city for any violation with fines of three or five dollars. Each day in violation is a separate offense. (Ordinance No. 45556)

6. Performance Bonds

Minimum of $2,500. (Section 18-65)

SALINA, KANSAS

I. NAME OF ORDINANCE

Chapter 31, Refuse, Salina Code, November 21, 1966.

II. GENERAL STATEMENT

Definitions (Section 31-35)

a. Ashes includes residue from the burning of wood, coal, coke, or other solid combustible materials.

b. Garbage includes every accumulation of animal, vegetable or other matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, birds, fruit, vegetables, food and food ingredients, including the cans, containers or wrappers wasted along with such materials.

c. Refuse includes all putrescible and nonputrescible solid wastes except body wastes. Refuse includes garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.

d. Rubbish includes nonputrescible solid wastes except ashes. Rubbish consists of both combustible and noncombustible materials, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, metals, and similar objects.

III. ADMINISTRATION

1. Responsible Agency

   a. Sanitation Department

   b. Health Officer

2. Functions and Powers

   a. Sanitation Department

      (1) To administer and supervise the collection and disposal of refuse. (Section 31-12)

      (2) To adopt and promulgate additional rules and regulations. (Section 31-23)

      (3) To issue licenses for collecting, transporting or hauling refuse. (Section 31-62)

b. Health Officer

To make, adopt and publish additional rules as may be necessary to make the article effective and facilitate the systematic collection, handling and disposal of refuse. (Section 31-74)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. No container shall exceed 32 gallons capacity, and the combined weight of the container and contents shall not exceed 100 pounds. (Section 31-22)

b. Each occupant of any premises shall keep his premises in a clean and sanitary condition. (Section 31-36)

c. Refuse shall be collected at least once every 10 days. Accumulation of unwrapped, undrained garbage or swill shall not exceed 2 days. (Section 31-39)

d. Containers shall be watertight, provided with tight-fitting lids or covers, rust resistant, furnished with handles, and shall not be less than 10 gallons, nor more than 32 gallons. (Section 31-42)

e. All containers shall be washed and/or cleaned often. (Section 31-43)

f. Storage facilities shall be adequate for the proper storage of all garbage and rubbish. (Section 31-45)

g. All garbage shall be drained and securely wrapped. (Section 31-48)

h. All containers shall be stored so as to prevent spillage by wind or animals. (Section 31-49)

i. Every collection vehicle shall have a hauling body constructed of metal, or shall have a metal lining on the floor and all side walls. (Section 31-73:2)

j. Every vehicle shall be provided with a means of covering the refuse and of keeping such refuse securely within the hauling body. (Section 31-73:3)

k. Every vehicle shall be cleaned as often as necessary. (Section 31-73:5)

2. Prohibited Activities

It shall be unlawful to burn garbage or other materials at any time except in an incinerator or other approved appliance. (Section 31-50)

V. ENFORCEMENT

1. Requirements for Licenses

a. Any persons who collect, transport, haul or dispose any refuse are required to obtain a license. (Section 31-62)

b. The license fee shall be $100.00 for each vehicle per year or any portion thereof. (Section 31-66)

c. Every license shall expire the following December 31st. (Section 31-68)

d. No license shall be granted to any person under 18 years of age. (Section 31-70)

e. No license shall be transferred. (Section 31-72)

2. Inspection

Health Department shall inspect the truck bed and the Police Department the safety equipment on licensed vehicles. (Section 31-63)

3. Liability for Violators

All licenses may be revoked by the Board of Commissioners upon the conviction of the licensee of having violated any of the provisions of this ordinance. (Section 31-69)

4. Liability Insurance

The applicant for a license must be covered by a liability insurance policy; $50,000 for bodily injury and $10,000 for property damage. (Section 31-64)

WICHITA, KANSAS

I. NAME OF ORDINANCE

Chapter 7.08, Garbage and Refuse, February 8, 1955 with amendments through December 9, 1969.

II. GENERAL STATEMENT

Definitions

a. Commercial garbage includes all garbage produced by grocery stores; produce markets; restaurants; schools, public, private or parochial; hospitals; or any commercial or other establishment that processes, sells or services food or food products.

b. Garbage includes all organic waste or residue of animal, fruit, vegetable or food material from kitchens and dining rooms or from the preparation or dealing in or storage of meats, fowl, fruits, grains or vegetables.

c. Rubbish or Trash includes all refuse such as paper, tin cans, bottles, glass containers, rags, ashes, lawn trimmings, tree trimmings, tree branches, limbs, tree trunks and stumps, and waste materials from premises including that produced from remodeling or construction, paper sacks, boxes, packing materials and like materials from dwellings, and business, commercial or industrial establishments and the offices thereof, except the following:

   (1) garbage

   (2) sewage

   (3) dirt, rock, concrete or masonry materials

   (4) accumulations from mud traps and settling basins

   (5) dead animals or animal excrement, and

   (6) salvage materials.

d. Salvage materials includes waste paper, scrap materials, building materials, or any other type of waste material that has a value to the producer, owner or occupant of the premises upon which it is produced or stored over and above the actual cost of collection and disposal. (Section 7.08.010)

III. ADMINISTRATION

1. Responsible Agency

Department of Public Works

2. Functions and Powers

   a. To supervise and engage in collection and disposal of rubbish, trash and garbage. (Sections 7.08.09 and 7.08.100)

   b. To issue licenses for collection, hauling and disposal of rubbish, trash and garbage. (Section 7.08.150)

   c. To make additional rules and regulations. (Section 7.08.310)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Every commercial establishment shall provide suitable and adequate liquid-tight containers which shall be closed by a water-tight and fly-tight cover at all times. (Section 7.08.020)

   b. All commercial garbage shall be collected and removed only by the city or by a licensed collector. (Section 7.08.040)

   c. All commercial garbage shall be collected at least twice a week. (Section 7.08.060)

   d. All residential garbage shall be drained of all excess liquids and securely wrapped in paper, and placed in a liquid-tight container with a fly-tight and water-tight lid or cover. All such garbage shall be collected at least once a week. (Section 7.08.070)

   e. No garbage or noncombustible trash may be deposited in trash burners or incinerators. Tree trimmings or lumber not stored in containers shall be stored in such a manner as to prevent the harborage of rats. (Section 7.08.110)

   f. All containers shall be thirty gallon capacity. Each container, when filled, shall not have an overall weight in excess of 75 pounds per 30-gallon container. Tree trimmings or branches shall not be more than 4 feet in length, tied on bundles and placed by the refuse containers. (Section 7.08.110)

   g. All collection vehicles shall be securely covered in such a manner that the contents will not be allowed or permitted to escape from the vehicles. (Section 7.08.140)

2. Prohibited Activities

   a. It shall be unlawful to place any garbage in trash burners or incinerators unless the incinerator is of a smokeless and odorless type supplied by auxiliary fuel and approved by the Fire Department and the Department of Public Health. (Sections 7.08.030 and 7.08.070)

b. It shall be unlawful to open, interfere with, damage or destroy any commercial garbage container or the contents thereof. (Section 7.08.040)

c. It shall be unlawful to dump or spill refuse on streets, public grounds, etc. (Section 7.08.130(a))

d. It shall be unlawful to scatter or spill rubbish, trash, garbage or waste materials upon the streets. (Section 7.08.130(b))

e. It shall be unlawful to dispose of dead animals by depositing such animals in containers, incinerators or upon any public property. (Section 7.08.300)

V. ENFORCEMENT

1. Requirements for Licenses

a. A license is required to collect or dispose of any rubbish, trash or garbage. (Section 7.08.150)

b. Each applicant shall pay a fee of $100 for each vehicle. The term of the license shall be for a period of one year. (Section 7.08.170)

c. No license shall be transferred. (Section 7.08.220:1)

2. Inspection Procedure

The vehicle to be licensed shall be inspected and approved by the Police Department as to compliance with this code and other ordinances. (Section 7.08.220:1)

3. Liability for Violators

If, after seven days' notice of requirements, any licensee fails to comply with any provisions of this code, the Superintendent of Central Inspection may, upon 48 hours' written notice to such licensee, revoke and cancel such license. (Section 7.08.260)

4. Administrative Proceedings

Any licensee feeling aggrieved at the revocation of license may appeal, within five days, the action of the Superintendent to the Board of Commissioners. (Section 7.08.260)

5. Penalties

Any person violating any of the provisions of this chapter shall be punished by a fine of not more than $200 or be imprisoned for not more than 60 days, or by both. (Section 7.08.330)

LOUISVILLE, KENTUCKY

I. NAME OF ORDINANCE

Chapter 913, Garbage and Rubbish, Public Ways and Service Code, December 26, 1967.

II. GENERAL STATEMENT

1. Definitions (Section 913.01)

   a. Garbage includes all putrescible wastes including vegetable and animal offal, but not including manure or night soil.

   b. Combustible waste includes all waste capable of incineration or burning, including garbage, paper, rags, excelsior, wood, grass, leaves, trash, rubbish, furniture, and other refuse or discarded matter required to be removed from private and public places, but not including manure or night soil.

   c. Noncombustible waste includes all waste not capable of incineration or burning, such as earth, brick, concrete, plaster earthenware, nonflammable compositions, and other waste material which is not capable of incineration.

   d. Ordinary waste includes the general and usual waste that accumulates on any vacant land or in or upon the land appurtenant to any dwelling house, tenement house, apartment house, or other building used for residential purposes; places and institutions not for profit; and public grounds.

   e. Ordinary commercial waste includes the general and usual waste that accumulates in or upon the land appurtenant to any retail grocery or meat store, restaurant, club, hotel, or any commercial enterprise, but not exceeding two standard thirty-gallon containers of combustible or noncombustible waste for any single regular collection.

   f. Extraordinary commercial waste includes the general and usual waste that accumulates in or upon the land appurtenant to any retail grocery or meat store, restaurant, club, hotel or any commercial enterprise in excess of the amount defined as ordinary commercial waste.

   g. Industrial waste includes the refuse that accumulates in or upon land used for manufacturing, industrial, wholesale, or slaughtering purposes.

   h. Public dumps includes land under the direct control and supervision of the Director of Sanitation designated for the depositing of noncombustible wastes.

i. Municipal incinerator includes the land, buildings, and equipment under the direct control and supervision of the Director of Sanitation where waste designated by the Director of Sanitation shall be burned.

III. ADMINISTRATION

1. Responsible Agency

   Director of Sanitation

2. Functions and Powers

   a. To collect all combustible and ordinary waste and all ordinary commercial waste and deliver all garbage and refuse to the Municipal incinerator.

   b. To maintain and operate any incinerator or other disposal plants.

   c. To prepare and publish reasonable regulations pertaining to solid waste management. (Section 913.02)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Every person having extraordinary commercial waste shall remove the combustible and designated non-combustible wastes to the Municipal incinerator. All other non-combustible extraordinary commercial waste shall be disposed of at an approved public or private dump. (Section 913.03)

   b. Industrial combustible waste shall be hauled to a Municipal incinerator by the person producing such waste. (Section 913.04)

   c. Containers shall be of metal, of substantial construction, with tight-fitting covers, and watertight. Each container shall have a capacity of ten to thirty gallons and shall be provided with handles. (Section 913.05)

   d. Each household shall provide sufficient containers. (Section 913.06)

   e. All waste containers shall be maintained in good condition. All garbage containers shall be kept clean and disinfected. (Section 913.07)

   f. Waste containers shall be kept covered at all times. (Section 913.08)

   g. Combustible waste shall be set out in proper waste containers on collection days at approved places. (Section 913.09)

h. Collection vehicles shall have a metal bed and be equipped in such manner that the load is completely enclosed with metal walls or other metal enclosure. (Section 913.16)

i. Waste paper, rags or excelsior shall be transported in a totally enclosed vehicle or in totally enclosed crates or by the truck or trailer covered with a tarpaulin. However, materials consisting exclusively of corrugated or cardboard paper may be transported in unlined or compressed bales. (Section 913.18)

2. Prohibited Activities

a. It shall be unlawful to scatter waste in any public or private place. (Section 913.10)

b. It shall be unlawful to remove waste from containers without the consent of the owner. (Section 913.11)

c. It shall be unlawful to dump any combustible waste on any public or private dump or other public or private property. (Section 913.12)

d. It shall be unlawful for any person to bring waste for disposal into the City unless authorized. (Section 913.12)

e. It shall be unlawful to dump any waste without a permit from the Director of Sanitation. (Section 913.20)

V. ENFORCEMENT

1. Requirements for Permits

a. No person shall collect combustible waste without a permit from the Director of Sanitation. (Section 913.14)

b. Any permit expires June 30 next following its issuance. Any permit may be renewed. The fee for each permit and renewal shall be $5.00. (Section 913.15)

2. Inspection Procedure

Each vehicle operated by a permit holder in the transportation of such waste shall be subject to inspection at all times by the Department of Sanitation. (Section 913.17)

3. Liability for Violators

Any permit may be revoked upon failure of the permit holder to comply with all applicable ordinances and rules and regulations. (Section 913.15)

4. Administrative Proceedings

If any permit holder fails to comply with the rules and ordinances the Director of Sanitation shall give a five-day notice of his intention to revoke such permit. During the five-day period the permit holder may request a hearing. The decision of the Director of Sanitation after such hearing shall be final. (Section 913.21)

5. Penalties

Any person violating any provision of this chapter shall be fined not less than $10.00 nor more than $50.00 for each offense. (Section 913.99)

BATON ROUGE, LOUISIANA

I. NAME OF ORDINANCE

Collection, Disposal of Garbage, etc. Title 6 Chapter 4 of City Code as amended by Ordinance Numbers 2316 and 2360. May 22, 1957 and later amended.

II. GENERAL STATEMENT

1. Declaration of Policy

This ordinance is concerned with collection and storage of garbage and trash.

2. Definitions

a. Garbage includes putrescible animal and vegetable waste resulting from the handling, preparation, cooking and serving of food, including tin cans, broken or plastic bottles, glassware, which may be used in a household or restaurant.

b. Trash includes putrescible solid waste such as waste paper, debris, tin cans, aluminum cans, bottles, glassware, ordure, excrement, cartons, boxes, etc., not included under the definition of 'garbage', and shall also include cut grass, weeds, vines, shrubbery trimmings, and trees or limbs not exceeding a weight and length that can be normally loaded by two men and carried in a truck without unreasonable overhang, provided that larger trees and limbs, industrial waste, building debris from erection or repairing of any building, dead fowls and animals and scrap metal shall not be included.

c. Refuse Control Board includes Director of Public Works, Treasurer, Chief of Police, Director of East Baton Rouge Health Unit and City Prosecutor. (Section 401)

III. ADMINISTRATION

1. Responsible Agency

Department of Public Works (Section 405)

2. Functions and Powers

a. To collect and dispose of all garbage and trash or other waste matter except at commercial establishments if placed in proper containers. (Sections 405 and 417)

b. To promulgate reasonable rules and regulations in accordance with this ordinance. (Section 413a)

c. To establish appropriate routes and schedules for garbage and trash collection in residential and commercial areas. (Section 413b)

3. Refuse Control Board (Section 415a)

a. Board shall elect a chairman who can call meetings, but any three members can also call a meeting.

b. Board shall adopt its own rules for the day on which it shall meet.

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Garbage will be collected only if placed in metal or plastic container, with tight fitting cover and strong handles, and with a capacity of not less than five nor more than thirty gallons. The weight with contents shall not exceed seventy-five pounds. The container shall be kept in sanitary condition. All commercial establishments, institutions, and schools which need more than two thirty gallon containers and all apartment buildings with more than eight units may have garbage collected and disposed of if placed in a mobile one-yard capacity container which can be dumped mechanically. (Section 406a)

b. The covers shall be kept secure and fastened at all times so that flies, insects, dogs, and other scavengers cannot gain access. (Section 406b)

c. Containers shall be placed on neutral ground near sidewalk or within five feet of road if no sidewalk. They shall not be placed in the road nor left anywhere for an unreasonable time before or after emptying. (Section 406c)

d. Trash and other waste matter may be collected only if conditions stated in Section 406 (see above) are followed. (Section 407)

e. Large trees or limbs, scrap metal, large lumber, refuse and large dead animals must be removed by owner at his own expense. (Section 411)

f. Any person transporting or hauling garbage, trash, or any debris shall take reasonable precautions to prevent its scattering or spilling on the public streets. (Section 403)

g. All owners and occupants of buildings are responsible for cleanliness of their premises and of neutral grounds immediately adjacent thereto. (Section 404)

h. Collection from commercial establishments shall be at least twice a week and from residential areas at least once a week. (Section 413b)

i. There shall be no private collection of garbage and trash from residential houses within the city. (Section 415:1)

j. Any private disposal site shall conform to the regulations. (Section 416d)

. Prohibited Activities

a. It shall be unlawful for any person, firm, corporation, etc. to scatter, throw, deposit, etc. any garbage, trash, or other substance which may be unsightly, offensive to smell or injurious to health or any private yard, lot, building, sidewalk, street, alley or any other public place other than in the type of container provided for by this ordinance. (Sections 402 and 404)

b. It shall be unlawful for the Department of Public Works to collect any garbage or trash not put out for collection in compliance with this ordinance. (Section 405)

c. It shall be unlawful for any person to wilfully damage or destroy any garbage container belonging to any other person. (Section 408)

d. It shall be unlawful for any person to permit any garbage container to remain on the neutral ground or on the side of their premises from 6:00 p.m. Saturday to 6:00 p.m. Sunday. (Section 409)

e. It shall be unlawful for the owner of a building being built or repaired, or the job contractor, to leave building or repairing debris in industrial refuse resulting from the job to be left for collection by the Department of Public Works. (Section 410)

f. It shall be unlawful for any person to collect, convey, or dispose of any garbage, refuse or rubbish except the actual producers who desire to personally dispose of it and outside collectors who convey across city streets. All other collection shall be done by the city. (Section 417)

g. It shall be unlawful for any person to go to the city dumps to deposit materials thereon except in accordance with regulations established by Director of Public Works. (Section 416a)

h. It shall be unlawful for any person to salvage, collect, remove or dispose of any garbage, refuse, or rubbish materials deposited on the city dumps except with authority of Director of Public Works. (Section 416b)

i. It shall be unlawful to engage in the business of collecting, removing, transporting or disposing of garbage and/or trash except by

(1) Private licensed collectors;

(2) Producers of garbage, refuse, or rubbish or owners of premises when it is produced if materials are disposed of in accordance with this ordinance.

(3) Collectors from outside of city hauling over city streets if such collectors comply with all ordinances,

(4) Charitable organizations as defined in the Code or holders of permits from Parish of East Baton Rouge. (Section 414)

V. ENFORCEMENT

1. Requirements for License

a. Applications shall be submitted to treasurer who shall forward to the Director of Parish Health Unit.

b. Applications shall include name, address, phone number, list of equipment to be used, date or requested issuance of permit, proof of insurance, whether applicant is going to collect garbage and/or trash and any other information that the City Council may desire.

c. After an investigation license may be issued, and it shall be valid until 31 December.

d. Director may impose reasonable rules and regulations upon the issuance of the license for collection and permit for each vehicle. (Section 415:1-7)

2. Inspection

Parish Health Unit must inspect and approve all vehicles. (Section 415:4)

3. Liability for Violators

License or permits may be suspended or revoked if:

(1) Any conditions of license or permits are violated.

(2) License or permits are exercised in violation of any ordinance or statute.

(3) License or permits are used for improper purpose.

(4) The application contained falsehoods.

(5) The equipment fails to meet health and safety standards.

(6) The licensee is not performing intended services.

(7) The licensee discriminates against any employee or applicant for employment because of race, creed, color or national origin. (Section 514:8)

4. Administrative Proceedings

   a. In case of violation or failure to comply with the provisions of this ordinance, the Refuse Control Board shall conduct a hearing and give the collector 5 days written notice to appear and answer the charge.

   b. If it is the first violation or conviction, the Board may issue a warning or, if the violation or public interest so requires, it may refer the violator to the City Council for a hearing with a recommendation for suspension or revocation.

   c. The Board may recommend suspension or revocation of license and/or permits.

   d. For any violation found by Board or Council or conviction by a court within 1 year of a prior violation or conviction upon which a hearing was held by the Board or Council, the Council shall conduct a hearing and impose the following minimum penalties:

      (1) 2nd such violation - 15 days suspension

      (2) Any subsequent violation - 1 year suspension.

   e. Nothing herein shall prevent the Board or the Council from calling a hearing for the purpose of revoking or suspending or recommending such action, of any license or permit when it finds a violation or when it deems it in the public interest. (Section 415:9)

5. Penalties

   a. The 1st conviction shall be punishable by a fine of $5 to $50 and/or not more than 5 days in jail.

   b. A subsequent conviction within 1 year shall be punishable by a fine of $25 to $100 and/or not more than 20 days in jail. (Section 417)

6. Insurance

   a. $100,000 - death or injury to 1 person in 1 accident.

   b. $300.000 - death or injury to more than 1 person in 1 accident.

   c. $20,000 - property damage.(Section 415:3d)

ROCKVILLE, MARYLAND

I. NAME OF ORDINANCE

''Refuse and Garbage Collection and Disposal Facilities'' Chapter 7, October 1, 1965.

II. GENERAL STATEMENT

1. Declaration of Policy

The accumulation of refuse substances on the premises of private residences, commercial institutions and other places, constitutes a public menace and nuisance and greatly increases the danger of the spread of infectious, contagious and epidemic diseases, and it is imperative and urgent for the preservation of health, safety, sanitation, peace and public welfare that proper and adequate regulations be adopted to require property owners, tenants, occupants or lessees to secure containers and receptacles of sufficient size and material in which to deposit refuse substances, or otherwise prepare for the collection, removal and disposal at regular intervals. (Section 7-4.01)

2. Definitions

a. Garbage includes putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

b. Refuse includes all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned, unlicensed or inoperable vehicles or machinery, and solid market and industrial wastes.

c. Rubbish includes nonputrescible solid wastes (excluding ashes), consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

d. Incinerator includes any device for complete combustion of refuse.

e. Sanitary landfill includes any disposal method where all refuse deposited is compacted and covered with compacted earth or other inert material. (Section 7-4.02 and 7-4.10)

III. ADMINISTRATION

1. Responsible Agency

a. Director of Public Works (Section 7-4.04:1)

b. Director of Licenses and Inspection. (Section 7-4.07:1)

2. Functions and Powers

   a. Director of Public Works

      (1) To supervise collection, conveying, and disposal of all refuse from single family residences.

      (2) To make and publish regulations regarding collection, storage and disposal of refuse. (Section 7-4.04:1)

   b. Director of Licenses and Inspection

      (1) To issue licenses for collection and transportation of refuse. (Section 7-4.07:1)

      (2) To refuse to renew, revoke or suspend licenses. (Section 7-4.09)

      (3) To direct disposal of bulky, contagious or dangerous material. (Sections 7-4.04 and 4.05)

      (4) To make inspections. (Section 7-4.12)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Storage (Multi Family, Commercial, Industrial)

      (1) Responsibility

         (a) It shall be the responsibility of the owner and not the occupant of multi-family residences to provide sufficient number of containers.

         (b) It shall be the joint and several responsibility of the owner and the occupant of commercial industrial and other non-single family residences to provide sufficient number of containers. (Section 7-4.06:2)

      (2) Standards

         (a) All containers except those for storage of bulky rubbish shall be vermin and water proof, of noncorrodible metal, and equipped with tight fitting lids at all times.

         (b) Containers must be accessible to users at all times.

         (c) Refuse bins shall not be used for storage of garbage.

         (d) Containers and storage areas shall be washed periodically.

(e) All storage areas shall be kept free of litter, refuse overflow, vermin and well ventilated. (Section 7-4.061:3)

b. Collection

(1) Single Family Residences

(a) All such refuse shall be collected, conveyed, and disposed of by the city under supervision of Director of Public Works.

(b) All bulky and/or dangerous materials shall not be placed for regular collection but shall be disposed of as directed by Director of Licenses and Inspection.

(c) Regular collections shall be made from rear or side placements at least twice a week with emptied containers returned to same location. (Section 7-4.04)

(2) Multi-Family, Commercial and Industrial (Section 7-4.05)

(a) Refuse may be collected by producer of refuse, owner of premises or by licensed private collectors.

(b) Refuse shall be collected from multi-family residences at least 5 times a week and from industrial commerical and institutional locations at least twice a week although Director of Licenses and Inspection may require more frequent collection.

(c) All contagious refuse highly flammable or explosive materials shall be collected under supervision of Director of Licenses and Inspection and shall not be placed in containers for regular collection.

(3) Private Collectors

(a) Vehicles must have body not exceeding 7 feet in height and so constructed as to prevent leaking or dripping. There shall be a suitable tight fitting cover.

(b) Collector shall remove all rubbish from all pick up points, return empty containers to pick up point, and clean up all spillage along the route, maintain regular service, and provide prior notice for any discontinuance of service. (Section 7-4.07)

2. Prohibited Activities

Storage

(1) It shall be unlawful to place refuse in street, alley, public or private place unless placed in proper containers for collection.

(2) It shall be unlawful to accumulate refuse.

(3) It shall be unlawful for any person to place or deposit any refuse in such a manner that it may be carried or scattered. (Section 7-4.03)

3. Approved Operations of Solid Waste Facilities.

a. Incinerators

(1) Shall comply with building code.

(2) Shall be operated in accordance with approved standards. Any incinerator not so operated shall be corrected within time specified by written notice of Director of Licenses and Inspections.

b. Incinerating Plants

(1) Shall comply with building and zoning codes and be enclosed by a fence 6 feet in height.

(2) Shall comply with same standards as single incinerators.

c. Sanitary Landfill

There may not be a landfill within City limits except if operated by or on behalf of City.

d. Seasonal or Special Disposal Methods.

(1) On site disposal by burial in a pit is permitted for camps and farms provided there is 8 inches of dirt cover.

(2) The use of compost piles is permitted if the pile is rodent-proofed. This is not necessary when the pile consists entirely of leaves.

e. Other Methods

Other methods are not approved and shall be utilized only after specific approval by Director of Licenses and Inspection in each case. (Section 7-4.10)

V. ENFORCEMENT

1. Requirements for Permits, etc.

a. No person shall engage in collection, transportation or disposal without obtaining a permit. (Sections 7-4.07 and 4.10)

b. Application shall be made to Director of Licenses and Inspection. A license shall not be issued unless minimum standards as provided for this ordinance are met. (Sections 7-4.07 and 4.10)

c. Permits expire on June 30 of each year and may be renewed if applicant complies with all standards of this ordinance. No permit shall be transferred, except in the case of the death of permittee when the executor, administrator or heirs may operate under the existing permit. (Section 7-4.08)

2. Inspection Procedure (Section 7-4.12)

The Director of Licenses and Inspection shall have the right to inspect any premises or property without the consent of the owner or occupant during hours of operation and at such other reasonable times as may be necessary to enforce this ordinance, but entry into private residences is prohibited.

3. Liability for Violators (Section 7-4.09)

The Director of Licenses and Inspection may refuse to renew,or he may revoke or suspend any license or permit upon a finding that the holder of the license or permit has violated this ordinance. This shall be done in accordance with the administrative proceedings provided for in this Ordinance.

4. Administrative Proceedings

a. Any revocation, suspension or refusal to renew shall be in writing and shall be mailed or delivered to the address shown on the application. The license card of a particular vehicle may be revoked without effect on the license to do business. Revocation shall remain until necessary corrections are made. (Section 7-4.09)

b. The City Manager may hear testimony and decide all appeals. Any person aggrieved by issuance, denial, renewal, suspension, revocation, or any other order may appeal to City Manager within 10 days. The City Manager may affirm, modify or reverse the order of Director. Such appeal shall not stay execution of order unless City Manager, upon application, shall grant a stay. (Sections 7-4.04:2)

5. Penalties

Violation of the Ordinance is a misdemeanor and upon conviction, there shall be a fine of not more than $100 or not more than 90 days in jail or both. Each day of violation is a separate offense. City may also institute injunction, mandamus or any other appropriate action. (Section 7-4.14)

6. Performance Bonds (Section 7-4.07:2)

Bond of $500 to reimburse City of all expenses shall be necessary to correct non-compliance of this Ordinance.

BROOKLINE, MASSACHUSETTS

I. NAME OF ORDINANCE

Regulations Governing the Handling, Storage, Collection and Disposal of Waste, August 31, 1967.

II. GENERAL STATEMENT

Definitions

a. Domestic Waste includes garbage and rubbish resulting from the usual routine of housekeeping.

b. Commercial Waste includes garbage and rubbish material resulting from the operation of business enterprises. Manufacturing and trade wastes are not included.

c. Municipal Waste includes domestic waste and commercial waste.

d. Garbage includes all waste - animal, fish, fowl, fruit or vegetable matter incident to the use, preparation and storage of food, including containers except glassware, and/or wrappings contaminated with such organic (putrescible) material.

e. Rubbish includes waste resulting from housekeeping and ordinary mercantile enterprises, such as packing boxes, cartons, excelsior, paper, ashes, cinders, tin cans, bottles and metals, and similar material.

f. Burnable Rubbish includes all domestic or commercial waste not acceptable for incineration. This includes ashes, cinders, glassware, earthenware, tin ware, bed springs, auto parts and other metallic substances, and containers for paint, gasoline, solvents, cleaning fluids and other explosive materials, including aerosol and similar type containers, and especially light bulbs, television tubes and fluorescent tubes.

g. Tree waste includes tree stumps, trunks or limbs, three (3) inches or more in diameter or three (3) feet or more in length; tree waste is not classified as municipal waste. (Section 1)

III. ADMINISTRATION

1. Responsible Agency

   a. Sanitation Division of Department of Public Works

   b. Director of Public Health

2. Functions and Powers

   a. Department of Public Works

(1) To collect domestic waste. (Section 2B)

(2) To establish standards for storage. (Section 2B1)

(3) To establish time and place for collection. (Section 2C1)

(4) To collect commercial waste (if not otherwise collected). (Section 3A)

(5) To approve any suitable device for storage, handling and disposal of waste. (Section 5)

(6) To set fees for collection and disposal. (Section 6)

b. Director of Public Health

(1) To issue permits for private dumps. (Section 8A)

(2) To inspect private dumps. (Section 8B)

(3) To revoke or suspend permits for private dumps. (Section 8C)

(4) To issue permits for private collection. (Section 9A)

(5) To revoke or suspend permits for private collection. (Section 9A)

(6) To order removal of any accumulation which becomes a nuisance. (Section 7C)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Storage of Domestic Waste (Section 2A & B)

(1) Owner or occupant shall provide, and keep clean and in good repair, a sufficient number of containers.

(2) Burnable and non-burnable rubbish shall be separated and placed in separate containers.

(3) Burnable rubbish or garbage may be stored separately or together.

(4) Garbage shall be drained of all liquid and wrapped.

(5) Containers shall be watertight, have tight fitting covers, have substantial handles, not exceed 26 gallons in capacity and 100 pounds in weight, when full.

(6) Bundles shall be securely tied and not exceed 75 pounds in weight or 3 feet in maximum dimension.

(7) Containers for burnable rubbish shall be similar to containers of non-burnable rubbish except there shall be a 3'' wide green strip painted around the center.

(8) Tree branches, shrubbery and vines shall be tied in standard bundles and cut grass and leaves shall be stored in suitable containers. They shall be placed for collection with non-burnable rubbish.

b. Storage of Commercial Waste

(1) The owner of the business shall provide a sufficient number of containers.

(2) Commercial garbage shall be separated in the same fashion as domestic waste. (Sections 3A & B)

c. Collection of Domestic Waste

(1) All rubbish and mixed garbage shall be collected from curb and separately stored garbage from the yard.

(2) All rubbish and mixed garbage containers shall be placed at curb and removed after collection.

(3) Improperly stored or bulky items may be refused collection, and the Sanitary Division shall attack reasons therefore if practicable. (Section 2C)

d. Collection of Commercial Waste

Shall be collected by Sanitation Division, private collector or owner of business at regular intervals to prevent a nuisance. (Section 3A)

e. Collection of other Waste

(1) All small dead animals, except those from animal hospitals and kennels, will be collected upon notice.

(2) Tree waste, construction waste and trade waste must be deposited by owner of premises.

(3) Incinerator waste shall be placed in containers for burnable rubbish.

(4) All hospital waste shall be placed in cardboard box, then sealed and labeled. (Section 4)

f. Transportation of Wastes

Vehicles must be so constructed as to prevent spillage and blowing away of contents. (Section 9C)

2. Prohibited Activities

   a. It shall be unlawful to deposit any garbage, rubbish or other waste upon the street, park, or any premises, except an approved disposal area in containers as required by these regulations.

   b. It shall be unlawful to scavenge in containers set out for collection or articles delivered to landfill or incinerator. (Section 6)

V. ENFORCEMENT

1. Requirements for Permits

   a. Private Dumps

      (1) A permit is required for use of public or private premises as disposal area.

      (2) A permit is to be granted by the Director of Public Health if he feels the area will not be a nuisance, be unsightly or be a violation of zoning laws. A permit may be granted subject to such conditions as the Director feels are necessary. (Section 8)

   b. Private Collectors

      (1) Permits are required to transport wastes through the town except that the Sanitation Division and originator of the wastes do not need a permit.

      (2) Applications are to be made to the Director of Public Health.

      (3) Permits shall expire at end of each calendar year but may be renewed annually. (Section 9)

2. Inspection Procedure

   Director of Public Health may inspect proposed private dump. (Section 8B)

3. Liability for Violators

   a. The Director of Public Health may revoke or suspend a permit for a dump if the dump becomes a nuisance. (Section 8C)

   b. The Director of Public Health may revoke or suspend a permit for private collection if this ordinance is not complied with.

4. Penalties

   A fine not to exceed $20 for violation of sections 2-7 of the regulations and a fine not to exceed $50 shall be possible for violation of sections 8 or 9 of these regulations. (Section 10B)

DETROIT, MICHIGAN

I. NAME OF ORDINANCE

An Ordinance to Regulate the Handling, Storage, Collection and Disposal of Municipal Waste, Litter and other Waste Materials, Ordinance No. 660-F, Chapter No. 189, February 8, 1962.

II. GENERAL STATEMENT

1. Declaration of Policy

This ordinance shall be liberally construed for the purpose of providing a sanitary and satisfactory method of preparation, collection and disposal of municipal wastes, and the maintenance of public and private property in a clean, orderly and sanitary condition for the peace, health and safety of the community. (Section 101)

2. Definitions

a. Municipal waste includes certain discarded products incident to housekeeping and commercial enterprises.

b. Domestic waste includes waste material resulting from the usual routine of housekeeping, including garbage, rubbish and ashes.

c. Commercial waste includes miscellaneous waste material resulting from the operation of business enterprises and institutions, including garbage, rubbish and ashes from offices and stores or the like, and construction waste, but excluding trade waste.

d. Construction waste includes waste from building construction, alteration, demolition or repair, and dirt from excavations.

e. Garbage includes all waste animal, fish, fowl, fruit or vegetable matter incident to the use, preparation and storage of food. It includes spoiled food but excludes food in containers of non-burnable nature.

f. Rubbish includes miscellaneous solid waste material resulting from housekeeping and ordinary mercantile enterprises, such as packing boxes, cartons, excelsior, paper, ashes, cinders, tin cans, bottles, glassware, earthenware, rubber, rags, wood, bedding, straw, leather, automobile tires, auto parts, bedsprings, grass, leaves, furniture, barrels, etc.

g. Trade waste includes waste material resulting from industrial operations and not classified as municipal waste.

h. Litter includes any garbage, rubbish, waste material or other substance placed or allowed to remain on the ground or in any other manner constituting a nuisance. (Article II)

III. ADMINISTRATION

1. Responsible Agency

   Commissioners of Public Works, Health, Police, and of Buildings and Safety Engineering.

2. Functions and Powers

   a. To enforce this ordinance. (Section 102)

   b. To adopt reasonable regulations to carry out the intent of the ordinance. (Section 102)

   c. To issue permits. (Section 405.6)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. All garbage shall be drained of all free liquid and wrapped in paper. No garbage shall be stored in an uncovered receptacle. (Section 302)

   b. Commercial garbage need not be wrapped, but undrained garbage will not be collected. (Section 303)

   c. Domestic and commercial rubbish shall be collected by the Department of Public Works. (Section 304)

   d. All small dead animals, if kept separate, will be collected by the Department of Public Works. (Section 304) Owners shall be responsible for the removal and disposal of large dead animals weighing over 100 pounds. (Section 305)

   e. Bulk rubbish shall be securely tied in compact bundles, not to exceed 100 pounds in weight. Large bulky items, such as refrigerators, stoves, etc., will require a special pickup. (Section 307)

   f. Shrubbery and tree branches shall not exceed 3 feet in length, 10 inches in diameter, or a total of 100 pounds in weight. (Section 308)

   g. Infectious materials shall be burned in an incinerator. Where necessary, they shall be wrapped and placed into the rubbish receptacle or otherwise disposed of in an acceptable manner. (Section 309)

   h. All proper and sufficient number of receptacles shall be maintained in good and clean condition. (Section 401)

   i. Portable receptacles shall hold two weeks' accumulation and have a capacity of not less than 20 gallons nor more than 26 gallons.

They shall be of galvanized metal, fly-tight, and provided with handle, not to exceed 100 pounds when filled. (Section 404.2)

j. Receptacles shall be conveniently accessible for collection service and for all users. (Section 406)

k. Commercial waste shall be collected by the Department of Public Works with charge. (Section 503)

l. The Commissioner of Public Works may enter into a contract with parties creating commercial or construction waste.

m. Collection vehicles shall be operated in a manner which will prevent a litter nuisance. The load shall be covered with a tarpaulin. (Section 602)

n. Every person shall keep his premises free of litter at all times. (Section 704)

2. Prohibited Activities

a. It shall be unlawful to burn garbage in any receptacle or unapproved incinerator. (Section 302)

b. It shall be unlawful to burn rubbish in an open fire except under permit. (Section 304)

c. It shall be unlawful to use defective or illegal receptacles for storage of wastes. (Section 403)

d. It shall be unlawful for any person other than authorized collectors to interfere with garbage and rubbish. (Section 601)

e. It shall be unlawful for any person to deposit any litter on any street except approved dumps. (Section 701)

f. It shall be unlawful for dangerous materials to be deposited in any street or any public or private place. (Section 703)

g. It shall be unlawful to dump in public waters. (Section 708)

V. ENFORCEMENT

1. Requirements for Permits

a. Stationary or large moveable receptacles shall not be installed without a permit. The permit fee shall not exceed $5. (Section 405.6)

b. Garbage and rubbish chutes shall not be installed without a permit. (Section 407)

2. Liability for Violators

a. Any permit shall be revoked for cause by the Commissioner of Public Works. (Section 405.6)

b. Should any contractor fail to pay for service rendered within 30 days after the date of bill, the Department of Public Works shall be relieved of all obligation. (Section 506)

3. Penalties

Any person violating any of the provisions of this ordinance shall upon conviction thereof be subject to a fine of not more than $500.00 or to imprisonment for not more than 90 days, or to both. (Section 801)

CULBERTSON, MONTANA

I. NAME OF ORDINANCE

Ordinance No. 111

II. GENERAL STATEMENT

1. Declaration of Policy

The uncontrolled disposal, handling, removal and storage of garbage, refuse and rubbish is unsafe, dangerous, unsanitary, and constitutes a present hazard and continuous menace to the health, morals, safety and general welfare of the people and is a public nuisance, all of which creates a present public emergency.

2. Definitions

a. Garbage includes putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

b. Refuse includes all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, street cleaning, dead animals, yard clippings and solid market and solid industrial wastes.

c. Rubbish includes nonputrescible solid wastes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, abondoned automobiles, tin cans, wood, tree branches, hedge trimmings, glass. bedding, crockery and similar materials.

d. A garbage can is defined as a tapered receptacle for garbage, refuse or rubbish, between 18-20 inches in diameter and between 15-30 gallons in capacity, constructed of galvanized iron or metal of a similar character with handles and a tight fitting cover attached by a chain to the garbage rack.

e. A garbage rack is defined as a rack or holder for garbage cans constructed so that the base of the garbage can is between 18-24 inches above the ground, and constructed so that small animals cannot knock over or tip over the garbage cans. (Section 1)

III. ADMINISTRATION

1. Responsible Agency

Town Council

2. Functions and Powers

a. To issue permits for burning. (Section 2)

b. To contract for removal of refuse. (Section 4)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All garbage, refuse and rubbish shall be placed in approved garbage cans. No can shall weigh more than 75 pounds. (Section 3)

b. All cans shall be placed in approved garbage racks except where permission given by Town Council to do otherwise. (Section 3)

c. Collection shall be made 2 times weekly from residential buildings and 3 times weekly from commercial establishment. (Section 4)

d. Items of garbage, refuse and rubbish exceeding 75 pounds in weight shall be collected at least once a month. (Section 4)

e. Dry rubbish or refuse may be burned by producers only with permission of Town Council and only in approved incinerators at specified hours. Such burning shall not create any dense smoke or offensive odor. (Section 2)

f. Any person owning any garbage, refuse or rubbish and subject to removal under this ordinance may arrange for disposal at the disposal area. (Section 11)

2. Prohibited Activities

a. It shall be unlawful for any person to dispose or burn any garbage, refuse or rubbish except as permitted in this ordinance or by permission of the Town Council. (Section 2)

b. It shall be unlawful for any person to deposit or cause to be deposited any garbage, refuse or rubbish upon any road or roadway. (Section 9)

c. It shall be unlawful for any person transporting garbage, refuse or rubbish to negligently allow the same to be blown or otherwise removed from the vehicle in which it is being transported. (Section 10)

V. ENFORCEMENT

1. Requirements for Contracts

The Town Council can advertise for bids for contract to remove garbage, rubbish and refuse. (Section 4)

2. Liability for Violators

Contract may be suspended or voided by the Town Council for violation of any of the provisions of this ordinance or the contract. (Section 6)

3. **Penalties**

A fine of not more than $50 nor more than 5 days or both at the discretion of the Court may be levied. (Section 12)

4. **Performance Bond**

$5,000.00 (Section 5)

GRAND ISLAND, NEBRASKA

I. NAME OF ORDINANCE

Chapter 15 of Grand Island City Code. Sections 1-37. Effective date 18 December 1968.

II. GENERAL STATEMENT

Definitions

a. Dead animals includes all small animals such as cats, dogs, and rabbits, which die from any cause, but not large animals such as goats, horses, mules and cows which shall die from any cause.

b. Garbage includes accumulations of animal, fruit or vegetable food waste generated by or resulting from the decay, deterioration, storage, preparation or handling of any animal and vegetable matter in any place or at any point where food is prepared for human consumption.

c. Refuse includes waste material from normal households or living conditions and business operations other than garbage, but not waste materials from building construction or repair, factory wastes, or refuse industrial plants of any character.

d. Collection includes, in a residential district, not more than three full thirty-two gallon garbage cans or two full thirty-two gallon cans and any number of full baskets, boxes, sacks, or bundles equal in volume to not exceeding one thirty-two gallon garbage can.

e. Waste material includes all items, objects, or material not included within the definition of garbage, dead animals or refuse. (Section 15-1)

III. ADMINISTRATION

1. Responsible Agency

   a. Department of Health (Section 15-2)

   b. Department of Public Works (Section 15-18)

2. Functions and Powers

   a. Department of Health

      To enforce provisions of this chapter pertaining to the collecting transporting and disposing, by approved methods, of all garbage, refuse and waste materials within the city. (Section 15-2)

b. Department of Public Works

(1) To make required inspections. (Section 15-18)

(2) To approve equipment for permit application. (Section 15-15)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Responsibility

(1) It is the responsibility of the owner and occupant, where garbage, refuse or waste material is created, to remove or cause such to be removed. (Section 15-3)

(2) All dead animals such as horses, cows, mules and goats and all construction waste shall be promptly disposed by owner. (Sections 15-6 and 15-7)

b. Storage

(1) The owner or occupant shall provide sufficient watertight, rodent and insect proof metal or plastic receptacles with tightly fitting lid and handles. Such receptacles shall not exceed 32 gallons capacity. Detached containers may be used with permission of Department of Health. (Sections 15-18 and 15-19)

(2) Receptacles shall be kept clean. (Section 15-10)

(3) Receptacles shall be stored at rear of lot or at convenient place on the premises. (Section 15-11)

(4) If receptacles are in a state of disrepair, the Department of Health shall notify the owner. (Section 15-12)

(5) Wet garbage shall be securely wrapped prior to deposition in container. (Section 15-13)

(6) Tall limbs and branches shall be tied in bundles not to exceed 5 feet in length and 50 pounds in weight. (Section 15-14)

c. Collection

(1) All licenses shall collectively maintain an answering service from 8:00 a.m. to 5:00 p.m. Monday through Friday for the purpose of receiving calls and complaints and prompt attention be given to such calls. (Section 15-25)

(2) Any person may collect, transport and dispose of his own refuse, garbage and waste material if an approved vehicle is

used and if the vehicle is designed and covered so as to prevent leakage, spillage, blowing and scattering of materials. (Section 15-27)

d. Transportation

All vehicles used by licensee shall have a watertight metal body to prevent leakage and shall have a cover to prevent blowing off and jarring of materials. (Section 15-17)

e. Disposal

Approved methods of disposal are:

(a) delivery to licensed collector

(b) burning or incineration (See Chapter 13 of City Code)

(c) hauling to sanitary landfill

(d) disposal in home garbage disposal unit. (Section 15-2)

2. Prohibited Activities

a. It shall be unlawful for any licensee to refuse collection to any person who has paid required fees. (Section 15-24)

b. It shall be unlawful to start collection in a residential district before 6:00 a.m. (Section 15-26)

c. It shall be unlawful to deposit garbage or refuse in any place other than a city operated Sanitary Landfill. (Section 15-37)

V. ENFORCEMENT

1. Requirements for Permits, etc.

a. A license is required for any person to collect or transport garbage or refuse for hire except those operating lawn services exclusively. Equipment must be approved by the Department of Public Works. A garbage license shall cost $10 per year and a refuse license $5 per year with licenses expiring on 30 September. (Section 15-15)

b. The maximum number of garbage licenses is seven, and the number of refuse licenses is unlimited. (Section 15-16)

c. Licenses shall be automatically renewed from year to year if required fees are paid, bonds tendered and inspections complied with. (Section 15-20)

d. Licenses are not transferrable. (Section 15-22)

e. Routes may be sold but purchaser must obtain new license. (Section 15-23)

2. Inspection Procedure

All collection equipment shall be inspected at least twice annually not later than 1 September and 1 April by the Department of Public Works. (Section 15-18)

3. Liability for Violators

a. If any owner of a premises fails to comply with a written notice to correct violations, it shall be the duty of the Department of Health to prosecute. (Section 15-5)

b. If any licensee violates a provision of this chapter, the City Council may summon the violator to appear and show cause why his license should not be revoked. After such hearing, the City Council may revoke said license. (Section 15-21)

4. Administrative Proceedings (Sections 15-4 and 15-12)

It shall be the duty of the Department of Health, where garbage has gathered or receptacles are in disrepair, to notify the owner or occupant to remove the same. Notice shall be in writing and served in person or by leaving notice at premises. If no person is in charge, notice shall be sent by registered mail to last known address of owner. If notice delivered in person, corrections must be completed within 3 days of notice; if notice is sent by mail, owner has 10 days from date of notice to complete corrections.

5. Performance Bonds and Insurance

a. Workmen's Compensation and Employee Liability $25,000.

b. Comprehensive general liability of not less than:

(1) $100,000 each person

(2) $300,000 each occurance for bodily injury or death

(3) $40,000 each property damage and $300,000 aggregate.

c. Automobile Liability of not less than:

(1) $100,000 each person

(2) $300,000 each accident for bodily injury or death

(3) $50,000 each accident for property damage.

d. Surety bond of $5,000 for garbage licensees only. (Section 15-19)

ALBUQUERQUE, NEW MEXICO

I. NAME OF ORDINANCE

''Municipal Refuse Collection Service'' Ordinance No. 1775, August 23, 1960.

II. GENERAL STATEMENT

Definitions

a. Ashes includes residue from the burning of wood, coal, coke, or other combustible materials.

b. Garbage includes putrescible animal and vegetable wastes resulting from the handling preparation, cooking, and consumption of food.

c. Refuse includes, but is not limited to, all putrescible and non-putrescible solid wastes (except body wastes) such as garbage, rubbish, ashes, petroleum products (including gasoline, kerosene, oil, grease and the like, whether new or used), street cleanings, dead animals and industrial wastes.

d. Rubbish includes, but is not limited to, all non-putrescible solid wastes (excluding ashes), such as abandoned automobiles, and solid both combustible and noncombustible wastes such as paper, cardboard, cans, wood, yard clippings, leaves, dirt, grass, bedding, crockery and similar materials. (Section 2)

III. ADMINISTRATION

1. Responsible Agency

   City Manager

2. Functions and Powers

   a. To make changes and revoke regulations. (Sections 3 & 4D3)

   b. To permit producers to use sanitary landfill to deposit own refuse. (Section 4D2)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. General

      (1) All refuse shall be collected, conveyed and disposed of by the City except as provided herein.

      (2) Actual producers of refuse or owners of premises where refuse is produced may personally collect and dispose of

their own refuse if they comply with provisions of this ordinance. (Section 3)

b. Recollection Storage

(1) Garbage, ashes and rubbish shall be kept in separate containers.

(2) All garbage and rubbish shall be drained and wrapped prior to being placed in the can.

(3) Tree trimmings and similar material shall be securely tied in bundles not to exceed 4 feet in length and two feet in diameter.

(4) All containers must be maintained in good condition and defective containers must be promptly replaced.

(5) Garbage containers shall be of galvanized metal or stainless steel, equipped with suitable handles, tight-fitting covers, and be watertight. The capacity shall not exceed 30 gallons and weigh no more than 75 pounds when full. Ash containers shall be the same except the maximum capacity shall be 20 gallons.

(6) Rubbish containers shall be suitable for the purpose and not exceed 75 pounds when full.

(7) Commercial and business establishments shall use galvanized metal bins. (Section 4)

c. Collection

(1) The City Manager shall decide frequency of collection.

(2) The City shall collect a reasonable accumulation of refuse.

(3) Contageous, inflammable or explosive materials shall not be placed in regular containers, but shall be disposed of as directed by the City Manager. (Section 5)

d. Transportation

Producers of refuse may dispose of own waste material if it does not fit in the definition of refuse and if the vehicle used is watertight and operated so as to prevent the spillage and/or dripping of materials. (Section 5D)

e. Disposal

Disposal shall be outside city limits unless at sanitary landfill or otherwise authorized by the City Manager. (Section 5D)

2. Prohibited Activities

   a. It shall be unlawful for any person to collect, convey or dispose of any refuse except as provided in this ordinance. (Section 3)

   b. It shall be unlawful to place any refuse on any public or private property or body of water except as herein required for collection. (Section 4D1)

   c. It shall be unlawful to allow accumulation of refuse to become a nuisance. (Section 4D2)

   d. It shall be unlawful to place any refuse in a manner where it mav be scattered by the elements. (Section 4D3)

   e. It shall be unlawful to burn garbage without the permission of the City Manager. (Section 7)

V. ENFORCEMENT

Penalties

Violation of this ordinance is a misdemeanor punishable by a fine of not more than $300 and/or imprisonment not to exceed 90 days. (Section 10)

HYDE PARK, NEW YORK

I. NAME OF ORDINANCE

Refuse Disposal Regulations of the Town of Hyde Park, Ordinance No. 6, February 2, 1959.

II. GENERAL STATEMENT

1. Declaration of Policy

The purpose is to provide the necessary rules, standards, and procedure for the disposal of refuse in order to promote the public health, safety and general welfare of the municipality. (Article 2)

2. Definitions

a. Contractor includes any private refuse collector as may be duly authorized by permits issued by the Town Board of Hyde Park to supply the service of refuse collection and disposal within the Township. (Article 3)

b. Premises includes land, buildings or other structures, vehicles or parts thereof. (Article 3)

c. Refuse includes all solid wastes of a community, including garbage, ashes, rubbish, market and industrial wastes, but not including body wastes. (Article 3)

d. Garbage includes animal and vegetable wastes resulting from the handling, preparation, cooking and/or consumption of foods. (Article 9)

e. Ashes includes residue from the burning of wood, coal, coke, or other combustible materials. (Article 9)

f. Rubbish includes non-decomposable solid waste, consisting of paper, cardboard, tin cans, glass, crockery, metals and similar materials. (Article 9)

III. ADMINISTRATION

1. Responsible Agency

The Town Board and the Town Highway Department

2. Functions and Powers

a. To issue licenses or permits. (Article 5)

b. To inspect and supervise disposal site. (Article 8)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Refuse acceptable for collection: garbage; ashes; rubbish. (Article 9)

b. Garbage shall be drained and stored in durable, rust-resisting, nonabsorbent, watertight, and easily washable containers, which have close-fitting covers and adequate handles, and are of not more than 20 gallons in capacity. (Article 9C,1)

c. Ashes shall be stored in fire-resistant containers with close-fitting covers, not greater than 20 gallons in capacity. (Article 9C,2)

d. Rubbish shall be stored in durable containers with close-fitting covers. (Article 9C,3)

e. All household refuse shall be collected at least once weekly in high density population areas. (Article 9D,1)

f. All institutional, business and industrial refuse shall be collected at least twice weekly. (Article 9D,2)

g. All vehicles shall have enclosed bodies, or suitable provision for the covering of the body to prevent littering. (Article 9E,1)

h. All vehicle shall have metal bodies of easily cleanable construction, shall be cleaned at sufficient frequency, and shall be maintained in good repair. (Article 9E,2)

i. All disposal of refuse shall be by methods in accordance with requirements of state and local law. (Article 10)

2. Prohibited Activities

a. It shall be unlawful to place, collect, deposit any refuse, except as designated. (Article 4A)

b. It shall be unlawful to permit refuse to accumulate on any premises in any other manner than as provided. (Article 9C,5)

3. Approved Operations of Solid Waste Facilities

Sanitary landfills shall be designed, operated and maintained so that:

(1) Refuse is compacted into layers of approximately one-fourth of the original refuse volume.

(2) Bulky waste material may not be used for final surface or side slopes.

(3) All exposed surfaces are covered with at least six inches of earth at the end of each operation.

(4) The final earth covering shall consist of compacted earth depths of not less than 24 inches.

(5) Cracks, depressions and erosion of earth covering shall be promptly repaired.

(6) Surface water is properly drained, or treated with effective chemicals.

(7) Measures shall be taken to prevent the scattering of lightweight materials, dust control, and otherwise preventing local nuisance or the breeding of rodents.

(8) Adequate equipment is to be provided.

(9) Scavenger wastes shall not be deposited in sanitary landfills unless approved.

(10) No material shall be burned after placement in the fill. Burning of refuse shall be restricted to readily combustible materials burned during daylight hours.

(11) No scavenging shall be permitted except under a special permit. (Article 10)

V. ENFORCEMENT

1. Requirements for Licenses

It shall be unlawful to conduct refuse collection and disposal without a license or permit issued by the Town Clerk upon the approval of the Town Board, after payment of $50.00 per year. (Article 5)

2. Inspection Procedure

A representative of the Town Highway Department is empowered to inspect and supervise disposal site conditions at all times. The frequency of such inspections and the filing of inspection reports will be as designated by the Town Board.

3. Liability for Violators

Upon violation of any provision of this Ordinance, the Board may suspend or revoke any permit or license. (Article 6)

4. Administrative Proceedings

In case of violation of any provision of this Ordinance, the Town Board shall give notice of such alleged violation. The responsible person shall be allowed a time, not to exceed 10 days, for the performance of any act it requires. Upon noncompliance the Board may suspend or revoke any permit or license. (Article 6)

5. Penalties

Any person who violates any provision of these regulations shall be punished by a fine of not more than $100.00. (Article 11)

RED HOOK, NEW YORK

I. NAME OF ORDINANCE

Refuse Disposal Regulations, June 21, 1962 (Article 1)

II. GENERAL STATEMENT

1. Declaration of Policy

To regulate and license the operation of refuse disposal areas and to prohibit the dumping of refuse, garbage and rubbish in an open area without being treated. (Article 2)

2. Definitions

a. Refuse includes all putrescible and non-putrescible solid wastes including garbage, rubbish, ashes, street cleanings, dead animals, offal and solid commercial and industrial wastes.

b. Garbage includes waste food, papers, dead animals or parts thereof and all waste or discarded wood, lumber or vegetable matter of any kind, or any other matter which shall be inflammable or capable of fermentation or decay.

c. Rubbish includes waste metal, tin cans, ashes, cinders, glass, pottery and all discarded substances of a solid and combustible nature.

d. Refuse Disposal includes the use of a dosposal area for an accumulation of refuse for profit or use of a disposal area for an accumulation of refuse and confined to collection of refuse from a single family. (Article 3)

III. ADMINISTRATION

1. Responsible Agency

Town Board

2. Functions and Powers

a. To approve issuance of licenses. (Article 5)

b. To revoke or suspend licenses. (Article 8)

c. To inspect and supervise disposal area. (Article 6)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

The owner and occupant of premises shall be responsible for sanitary condition of those premises. (Article 4)

2. Prohibited Activities

   a. It shall be unlawful to place or deposit any refuse on any premises except as provided in this ordinance. (Article 4)

   b. It shall be unlawful to any person to carry on or conduct a refuse disposal business without a permit. (Article 5A)

3. Solid Waste Facilities

   a. The refuse disposal area shall be maintained in safe and sanitary manner at all times.

   b. The Board may inspect and supervise the area at all times.

   c. The area shall observe the following procedures:

      (1) There shall be a six (6) inch daily cover and suitable final cover.

      (2) Each layer shall be ½ of the original refuse volume.

      (3) Bulky waste material shall be placed in fill and shall not be used for side slopes or final surface.

      (4) Cracks, depressions and erosion must be promptly repaired.

      (5) The surface shall be drained or treated to prevent mosquito production and odors.

      (6) Suitable measures to prevent scattering of material and to control dust and breeding of insects shall be taken.

      (7) There shall be no burning after placement in the fill.

      (8) There shall be no scavenging without a special permit. (Article 6)

   d. The area shall not obstruct natural drainage channels or be in area subject to flooding unless adequate precautions taken. (Article 7)

   e. The area shall not be located where public or private water supplies might be polluted. (Article 8)

V. ENFORCEMENT

1. Requirements for Licenses

   a. Application must be made on forms approved by Town Board.

b. The clerk will issue license after approval by Town Board.

c. A license is valid for one year and may be renewed, but it may not be transferred. (Article 5)

2. Inspection

The Town Board may inspect Refuse Disposal Area. (Article 6B)

3. Liability for Violators

Violation of this ordinance shall result in immediate forfeiture of any license held by the violator. (Article 8B)

4. Administrative Proceedings

a. A license may be revoked by the Town Board after a public hearing at which the licensee shall have the opportunity to be heard. (Article 5F)

b. The Town Board may notify licensee by ordinary mail of existing violations, and if said violations are not corrected within a reasonable time set by the Board and in no event later than 10 days from the date of said notice, the Town Board may suspend or revoke the license of said licensee. (Article 8C)

5. Penalties

Violation of a provision of this ordinance is a misdemeanor, and upon conviction, violator may be punished by a fine not to exceed $100 and/or more than 10 days in jail. Each day of violation is a separate offense.

ROCHESTER, NEW YORK

I. NAME OF ORDINANCE

Rochester Code, Public Works - Article II, Garbage, Refuse and Waste Collection and Disposal, 1958.

II. GENERAL STATEMENT

1. Declaration of Policy

To protect and promote the health, safety and welfare of the people of Rochester.

2. Definitions

a. Garbage includes all putrescible animal or vegetable wastes resulting from the handling, preparation, cooking and consumption of food in any private dwelling house, multiple dwelling hotel, restaurant, building or institution.

b. Rubbish includes all cardboard, plastic, metal or glass food containers, waste paper, rags, sweepings, small pieces of wood, excelsior, rubber, leather, and similar waste materials that ordinarily accumulate around a home, business or industry. It shall not include garbage, ashes, bulk refuse, dead animals, hazardous refuse, industrial waste or building waste resulting from the operations of a contractor.

c. Mixed refuse includes garbage and rubbish placed and stored together in a standard refuse container or in a substitute refuse container as required by this ordinance.

d. Ashes includes residue of the combustion of solid fuels.

e. Bulk refuse includes discarded household furniture, bedding and mattresses, leaves, lawn cuttings, tree trimmings and hedge trimmings, large appliances and other bulky household material too large to place in standard refuse container.

f. Dead animals includes animals that have died naturally or have been accidentally killed. Animals or parts of animals from slaughterhouses are not included in this category.

g. Hazardous refuse includes any refuse, the handling or disposal of which, in the opinion of the Commissioner, would constitute a danger to city employees or to city property.

h. Household waste includes mixed refuse, ashes and bulk refuse originating in and around private dwellings, multiple dwellings, fraternity houses, living quarters or dining facilities located in schools, colleges or universities.

i. Institutional waste includes mixed refuse and ashes originating in and around tax exempt hospitals and public, charitable, philanthropic or religious institutions conducted for the benefit of the public or a recognized section of the public. Institutions not covered by the foregoing definition shall be considered commercial establishments.

j. Commercial waste includes rubbish, mixed refuse and ashes originating in and around commercial establishments, industrial establishments, hotels, restaurants, cafeterias and nonpublic institutions. It shall not include wooden pallets, trade-in furniture and appliances, or other types of discarded merchandise.

k. Industrial waste includes any and all residue resulting directly from industrial or manufacturing operations. It shall not include waste originating from commercial operations of an industrial establishment, nor shall it include waste resulting from the commercial operations of persons, firms or corporations engaged in the construction of buildings, the repairing of streets and buildings, demolition or excavation. Residue or waste resulting from tree or landscaping services shall be excluded.

l. Building waste includes any and all refuse or residue resulting directly from building construction, reconstruction, repair or demolition; from grading, shrubbing or other incidential work in connection with any premises; or from replacement of building equipment or appliances.

III. ADMINISTRATION

1. Responsible Agency

   Department of Public Works

2. Functions and Powers

   a. To provide for public collection and disposal service. (Section 20-14)

   b. To draft and publish regulations pertaining to the public collection and disposal of wastes. (Section 20-14)

   c. To issue licenses for collection of refuse. (Section 20-26)

   d. Enforcement of licensing ordinance. (Section 20-26A)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Ashes shall be stored in separate standard containers. (Section 20-15)

b. Garbage shall be drained of water, securely wrapped in paper, and deposited in a standard container. (Section 20-16A)

c. Bulk refuse shall be placed at the curb, between the curb and sidewalk. Lawn cuttings shall be placed in standard containers or in loose piles. Tree trimmings shall be securely tied in bundles not heavier than (75) pounds, not less than three (3) feet in length nor more than (18) inches in diameter. (Section 20-16C) Leaves shall be placed between the curb and sidewalk in piles. (Section 20-16f)

d. Building waste from minor repairs shall be placed in separate standard containers. (Section 20-16d)

e. Standard containers shall be of galvanized iron, shall have handles and tight fitting covers, shall be watertight, and marked for identification by the owner. They shall not exceed twenty-four (24) inches in height nor eighteen (18) inches in diameter and shall have a capacity of not less than eighteen (18) gallons nor more than twenty-two (22) gallons. (Section 20-17) The city assumes no liability for damages to containers manufactured of materials other than galvanized iron.

f. The department shall collect garbage and household waste at least once each week. It shall not collect commercial waste at public expense more frequently than twice each week. Special services on Saturdays, Sundays, or holidays, shall be at double the normal rate per load or fraction thereof. (Section 20-20)

g. Galion E-Z Pack front end loading type containers or equal may be substituted in place of standard refuse containers upon issuance of a permit by the Commissioner of Public Works. (Section 20-21)

h. Incinerators may be operated provided the operation of such incinerators does not emit smoke, dirt, noxious gases, fumes or odors in violation of the provisions of the Municipal Codes and no fire hazard is created. (Section 20-23)

i. Dead animals, weighing less than 100 pounds shall be removed by the department on request. Dead animals weighing 100 pounds or over shall be removed by the Department upon the payment of a ten dollar fee. (Section 20-24)

j. In the event of a public emergency, the Commissioner may provide by contract for the public collection, removal and disposal of garbage, refuse and waste. (Section 20-25)

k. Collection trucks shall have watertight enclosed bodies. They shall be so equipped as to prevent the leakage or spillage of their contents.

1. Acceptable solid wastes, originating within the city and transported to a designated city-operated landfill by any person shall be accepted by the department for disposal during designated hours of operation. (Section 20-27)

2. Prohibited Activities

   a. It shall be unlawful to burn garbage or mixed refuse in an open fire or in a metal basket, can or drum. (Section 20-23)

   b. It shall be unlawful to use city landfill areas for the disposal of refuse originating outside the City of Rochester. (Section 20-28)

   c. It shall be unlawful for any person to interfere with or remove any container which has been placed for collection except employees of the department in execution of their duties.

ENFORCEMENT

1. Requirements for Licenses (Section 20-26)

   a. No person shall collect solid waste without having obtained from the Commissioner a license.

   b. All applications shall be in writing and shall contain such information as the Commission shall require and shall be verified by the applicant.

   c. The license fee shall be $12 a year for each and every truck.

   d. Renewal licenses shall be issued in the same manner and subject to the same conditions as original licenses.

   e. No license or permit shall be transferable.

   f. No license shall be issued to a person who has been convicted for violation of the ordinance or a person whose license has been revoked for one year after such revocation.

2. Inspection Procedure

   All collection trucks shall be available for inspection prior to the issuance of any license. (Section 20-26I)

3. Liability for Violators

   The Commissioner has the power to suspend or revoke a license for violation of any law or code relating to solid waste. He shall revoke a license in the event that the insurance policy is cancelled or has expired. (Section 20-26g)

4. Administrative Proceedings

The Commissioner shall suspend or revoke a license after a hearing. He may revoke summarily the license of any person convicted of violation. The clerk of Police Court shall promptly notify the Commissioner issuing the license of any such conviction. (Section 20-26g)

5. Penalties

Violation of any of the provisions of this law is punishable by a fine not exceeding $150 or imprisonment not exceeding fifteen (15) days or by both, or by a penalty of not less than $5, nor more than $500.

6. Insurance Policies

Licensed collectors shall previously have filed liability insurance policies. Each policy shall be in the limits of not less than $50,000 for each person, and $100,000 for each accident relating to bodily injury, and $25,000 for property damage for each accident and $50,000 aggregate for property damage liability. (Section 20-26A)

HAMILTON, OHIO

I. NAME OF ORDINANCE

Chapter 55 Refuse, Codified Ordinances of Hamilton, Ordinance No. 6770, May 19, 1965, as amended by Ordinance No. 7177 and Ordinance No. 7126.

II. GENERAL STATEMENT

1. Definitions

a. Garbage includes animal and vegetable waste resulting from the handling, preparation, cooking and serving of food for human consumption from home kitchens, stores, markets, restaurants, hotels, institutions and other places where food is stored, prepared or served. It does not include food-processing wastes from canneries, slaughterhouses, packing plants or similar industries nor large quantities of condemned food products.

b. Refuse includes all solid wastes including garbage, rubbish, ashes, small dead animals, and all other similar wastes, that are useless, unused, unwanted, or discarded, either organic or inorganic, combustible or non-combustible and putrescible or non-putrescible, resulting from normal activities.

c. Refuse disposal site includes places designated by the Director of Public Works for the purpose of disposing of refuse.

d. Rubbish includes both combustible and noncombustible, non-putrescible solid waste materials from homes, commercial establishments and institutions other than garbage and small dead animals. Rubbish consists of paper, rags, glass, ashes, yard trimmings, leaves, tin cans, old clothing, crockery, cardboard, wood, metals, sweepings and all other similar wastes.

e. Small dead animals includes dogs, cats, rabbits, squirrels, rats and similar size animals that die naturally, form disease or are accidentally killed. It shall not include horses, cows, goats, sheep, hogs and similar size animals or any animals that are condemned, or from slaughterhouses, rendering plants, veterinarians, or other like establishments. (355.01)

III. ADMINISTRATION

1. Responsible Agency

The Directors of Health and Public Works, the Chiefs of Fire and Police.

2. Functions and Powers

a. To enforce the provisions of this chapter and other regulations. (355.02a)

b. To provide for the collection and disposal of refuse. (355.02b)

c. To establish and publish regulations pertaining to the keeping, collection, hauling, removal and disposal of refuse. (355.02b)

d. To issue licenses for collecting, transporting, or disposing of refuse. (355.09a)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All refuse shall be drained of all liquid and wrapped in paper. 355.03a)

b. Ashes shall not have smoldering embers. They shall be dry and placed in approved containers. (355.03b)

c. The bundle shall not exceed 4 feet in length, 2 feet in diameter, nor weigh more than 60 pounds. (355.03c)

d. Each householder or commercial establishment shall provide sufficient containers. The containers shall be of galvanized iron or other non-rusting material, with two metal handles and tight fitting lids, water tight, and shall have a capacity not in excess of 27 gallons or weigh more than 60 pounds. All containers shall be kept in sanitary condition and disinfected when necessary. (355.04)

e. Containers shall be placed adjacent to alleys or curbs, but not within the alley or street pavement. (355.05a)

f. The City shall collect all garbage and rubbish at least once every week. (355.06a)

g. A commercial establishment may transport and dispose of refuse by using the services of a private collector. (355.06b)

h. Small dead animals shall be collected at least once each 24 hour period. (355.06f)

i. The following refuse shall not be accepted at any City disposal site: dangerous materials; bulky materials; and large quantities of refuse, liquids or solids. (355.06h)

j. The use of private disposal sites shall be permitted provided they are not a nuisance. If burning is practiced, the approval of Fire Chief and the Director of Health is required. (355.08)

2. Prohibited Activities

   a. It shall be unlawful to use the City Collection and disposal services for any outside refuse. (355.06i)

   b. It shall be unlawful to place infectious materials or hazardous materials in any refuse container. (355.10a)

   c. It shall be unlawful to throw any refuse in any place except in a heating plant or incinerator. (355.10b)

   d. It shall be unlawful to accumulate any refuse for a longer period of time than between two consecutive collection dates. (355.10c)

   e. It shall be unlawful to throw any refuse upon any highway, public or private ground, etc. (355.10d)

   f. It shall be unlawful to use any refuse for filling, except solid fill material that is non-combustible and non-putrescible. (355.10e)

V. ENFORCEMENT

1. Requirements for Licenses

All persons collecting, transporting or disposing of refuse shall be licensed by the Director of Finance. The fee shall be $10.00 per year. (355.09a)

2. Liability for Violators

If any licensed collector violates the provisions of this ordinance, the license of such person will be revoked. (355.09c)

3. Administrative Proceedings

Five days notice shall be given by the City of the intention to revoke license, during which time the licensee may ask for a hearing. The decision of the City Manager after such hearing shall be final. (355.09c)

4. Penalties

Any person violating the provisions of this chapter shall be guilty of a misdemeanor and fined in any sum not to exceed $100. (355.11)

ASTORIA, OREGON

I. NAME OF ORDINANCE

Articles 1-10 Refuse Collection - Rules and Regulations (Cited as Sec.— —), Astoria Code Chapter 4 - Sanitation (Cited as Sec. 4.0 ——), November 5, 1946 and later amended.

II. GENERAL STATEMENT

1. Declaration of Policy

The City Council finds that the maintenance of health and sanitation requires compulsory and universal collection, removal and disposal of refuse. (Section 4.000)

2. Definitions

a. Ashes includes solid waste products of coal, wood and other fuels and use for heating and cooking, for all public and private establishments and residences.

b. Disposal area includes any area designated or provided by the City Council for the purpose of disposal of refuse.

c. Garbage includes all putrescible wastes, except sewage and body wastes, vegetables wastes, animal offal and carcasses of dead animals, and all substances from all public and private establishments and residences, but excluding recognized industrial by-products.

d. Industrial refuse includes solid waste materials from factories, processing plants or other manufacturing enterprises. The words include putrescible garbage from food processing plants and slaughterhouses, condemned foods, building rubbish and miscellaneous manufacturing refuse.

e. Refuse includes ashes, garbage, rubbish, swill and all other putrescible and non-putrescible wastes, except sewage, from all public and private establishments and residences.

f. Rubbish includes all non-putrescible waste materials, except ashes, which are rejected, abandoned or discarded by the owners or producers thereof as offensive, useless or no longer desired by producers thereof, and which, by their presence or accumulation may affect injuriously the health, comfort or safety of the community by increasing disease or hazard by fire. The term includes paper, cartons, boxes, bottles, cans, wood, tree branches, yard trimmings, furniture, bedding, metals, dirt, glass, crockery and similar substances or materials of the nature described from all public and private establishments and residences.

g. Swill includes refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables, that is subject to decay and the attraction of flies or rodents. (Section 4.005)

III. ADMINISTRATION

1. Responsible Agency

Sanitary Service Division (Public Works Director and Sanitary Engineers). (Section 2.01)

2. Functions and Powers

a. To supervise all collecting and disposal. (Section 2.01)

b. To set hours of operation for disposal. (Section 3.01)

c. To give permits to transport industrial refuse. (Section 9.01)

d. To supervise sanitary landfill. (Section 3.05)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Collection

(1) The occupant of any building and every other person having refuse, shall provide a container and keep it easily accessible to the collector. (Section 4.040)

(2) The City may require separation of refuse into ashes, rubbish, and garbage. (Section 4.030)

(3) All refuse shall be placed in watertight, galvanized metal container of not more than 30 gallons in capacity. The container, when empty, shall weigh no more than 25 pounds and when full, no more than 75 pounds. Container shall be strong, have handles at side, have tight fitting lid, be kept clean and continuously closed except when refuse is being dumped into or removed there from. (Section 4.035)

(4) Containers shall not be overloaded to point where covers can not be placed in container or to point where one man cannot lift up the container. (Section 8.01)

(5) The customer must place refuse in containers and keep the area around the container in a neat and sanitary condition. (Section 8.02)

(6) Special pick up materials shall be placed by customer at the container or as near thereto as possible. (Section 8.04)

(7) Kitchen refuse must be drained of all moisture and completely wrapped in paper prior to being placed on a container. Ashes and soot must also be drained. (Section 8.07)

(8) Customers must keep containers clean. (Section 8.08)

(9) Customers must provide and replace refuse containers. (Section 8.10)

(10) Collection shall be at least once a week. (Sections 4.035 & 4.045)

(11) All vehicles used in collection must be so constructed as to prevent the content from falling or spilling therefrom. (Section 4.050)

(12) All vehicles used in collection must be painted a uniform color, with name of collector and number of truck clearly printed on each side of the vehicle. The vehicles shall be kept neat and clean at all times. (Section 5.02)

(13) Employees of the Collector shall be courteous, clean, quiet and careful at all times, shall be clearly idenfiable by means of uniform or a badge, shall return receptacles to location from which they were taken and replace the covers, and shall not unnecessarily trespass on private property. The employees shall not be required to expose themselves to animals. (Sections 6.01 and 6.04)

(14) The Collector must keep daily reports of all refuse collected and publish fee and collection schedules. (Section 7.01)

b. Disposal

(1) Delivery of refuse to disposal area shall be made on same day that such refuse is collected. (Section 4.045)

(2) No refuse produced outside city units may be deposited in disposal areas except as provided in the code. (Section 4.055)

(3) Disposal shall be by methods specifically approved by State Board of Health and in area directed to by person in charge. (Section 4.055)

(4) Persons who produce rubbish may transport it themselves to the disposal area and deposit after payment of the necessary fees. (Section 4.065)

2. Prohibited Activities

   a. It shall be unlawful to place explosive or inflammable materials in containers. (Section 8.03)

   b. It shall be unlawful to fill containers with dishwater or other liquid or semi-liquid kitchen wastes which are properly dispassable down the sanitary drains. (Section 8.06)

   c. It shall be unlawful to use community refuse containers except at apartment houses and at other buildings where garbage disposals are provided as part of lease or rent price. (Section 8.09)

   d. It shall be unlawful for any person to keep or deposit refuse on any private grounds or disposal and except as specified in this code. (Section 4.040)

   e. It shall be unlawful for any person to deposit or bury rubbish or garbage except at the disposal area. (Section 4.125)

   f. It shall be unlawful to burn garbage or rubbish except at the disposal site. An exception is paper boxes, and garden trash which may be burned on private property in furnaces or another manner, if a special permit is received from Fire Department. (Section 4.125)

   g. It shall be unlawful for any person to dump or deposit any waste material upon property owned by another without written consent of owner or legal occupant of said property. (Section 4.130)

   h. It shall be unlawful for any person to dump, place, or deposit any waste material on any public street, alleyway, park or lot of the city without prior written consent of the Public Works Director. (Section 4.135)

   i. It shall be unlawful for any person to transport industrial refuse produced by such person on or through any street or public place without permit from Public Works Director. (Section 4.140)

3. Approved Operations of Solid Waste Facilities.

   a. Disposal area shall be open in accordance with a posted schedule set by the Director of Public Works. (Section 3.01)

   b. The city can refuse admission to or use of disposal area at any time to persons the Public Works Director may deem objectionable. (Section 3.02)

c. All commercial and industrial producers or collectors of refuse who use disposal area must have a permit. These are obtainable at disposal area. This section does not apply to contract collector. (Section 3.03)

d. The open face of the landfill area shall be covered regularly with earth and in no case shall this open face be left open longer than one week. (Section 3.06)

e. No burning shall be permitted in the disposal area unless approved by the Public Works Director. (Section 3.07)

f. The city shall take all precautions to control rodent and pests and to exterminate when necessary. (Section 3.08)

g. The city may refuse to permit the deposit of certain undesirable materials such as refrigerators, car bodies, bathtubs and other such materials. (Section 3.09)

V. ENFORCEMENT

1. Requirements for Permits, etc.

a. The city may contract for collection and disposal of refuse. The contract shall be exclusive and for a period not to exceed five years, with extensions available. The contract shall be by bid. (Sections 4.060 and 4.01)

b. No person shall collect or transport garbage or rubbish unless such person is contractor, employee, or agent of the city. (Section 4.065)

c. A permit from the Director of Public Works is required to transport industrial refuse. (Section 9.01)

d. No contract or any interest herein may be sold, assigned, mortaged or otherwise transferred without consent of the Astoria Council. (Section 4.095)

2. Inspection Procedure

a. The equipment of the collector may be inspected by the Director of Public Works at any or all reasonable times. (Section 5.02)

b. The city may inspect, audit, and copy the contractor's records upon notice at all reasonable times. (Section 4.085)

3. Liability for Violators

a. If a health officer determines that a container violates requirements and/or is detrimental to the public health and welfare, the officer may confiscate and destroy the container. (Section 4.035)

b. Any contract may be terminated by the city upon 60 days written notice if contractor fails to comply with the code or rules and regulations. (Section 4.090)

4. Performance Bonds and Insurance

   a. A surety bond of $5,000 conditioned upon compliance with code and rules and regulations. (Section 5.080)

   b. Prior to operation of collection vehicle, the following insurance requirements must be met:

      (1) $25,000 for death or injuries to any one person in any one accident

      (2) $50,000 for death or injuries to 2 or more persons in any one accident

      (3) $10,000 for property damage resulting from any one accident such policy shall cover the city, members of council and its officers, employees and agencies, and the collector.

SALEM, OREGON

I. NAME OF ORDINANCE

''Refuse Collection and Disposal Ordinance of the City of Salem.''
Ordinance amending Chapter 17 of City Code June 29, 1965.

II. GENERAL STATEMENT

1. Definitions

a. Ashes includes residue of the combustion of solid fuels.

b. Bulk includes discarded household furniture, bedding and mattresses, leaves, yard trimmings, appliances, building wastes, and other non-putrefactive and non-hazardous materials too large to be placed into containers.

c. Garbage includes all classes of putrefactive and easily decomposable animal or vegetable matter, wastes produced from the handling and preparation of food, and tin cans originally used for foodstuffs.

d. Hazardous refuse includes any refuse, including explosives, petroleum derivitives, or highly contaminated materials, which in the opinion of the Director of Public Works or the Marion County Health Officer would constitute a danger to collection personnel or to anyone who may come in contact with such refuse.

e. Refuse includes any kind of solid waste material such as ashes, bulk wastes, garbage, dead animals, abandoned automobiles, rubbish or trash.

f. Rubbish includes cardboard, plastic, metal, glass, paper, rags, sweepings, wood, rubber, leather and similar waste materials that ordinarily accumulate on premises, but not including garbage, ashes, bulk refuse, dead animals or hazardous refuse. (Section 17.2)

III. ADMINISTRATION

1. Responsible Agency

Director of Public Works (Section 17.3)

2. Functions and Powers

a. To call upon the Health Officer, Police Chief and Fire Chief for assistance in obtaining compliance with orders issued by him.

b. To arbitrate or to provide for arbitration of any and all disputes arising between contract collectors and citizens.

c. To suspend licenses upon reasonable notice. (Section 17.3)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Collection

(1) Garbage shall be drained and wrapped, then deposited in approved refuse container. (Section 17.4a)

(2) Ashes shall be cool prior to depositing. (Section 17.4b)

(3) All rubbish, except bulky items, shall be promptly deposited in approved refuse container. (Section 17.4d)

(4) Bulk refuse may be placed in box or barrel. Newspapers and magazines shall be securely tied. (Section 17.4d)

(5) Containers shall be kept in convenient place. They shall be not easily corrodible, have tight covers and be equipped with suitable handles. The capacity of residential containers shall be between 5 and 30 gallons. Containers shall be kept closed except when being filled or emptied. Containers shall not weigh more than 80 pounds when full. (Section 17.5)

(6) Only authorized collector shall collect ashes, bulk, garbage, refuse and rubbish in city. (Section 17.8)

(7) All refuse shall be collected in metal, enclosed packer-type vehicles, kept in good condition and repair, and so constructed that the content will not spill, seep, leak, or blow from the vehicle. Vehicles must be kept clean and sanitary. (Section 17.11)

(8) Collector shall not litter premises and shall repair or replace at his expense containers damaged as a result of his handling. (Section 17.12)

(9) Garbage collections shall be made daily except Sunday from businesses and at least once weekly from residential areas. Non-putrescible refuse or rubbish shall be collected less frequently, but in no case shall non-putrescible refuse be allowed to accumulate longer than fifteen days. (Section 17.12)

b. Storage

Containers shall be kept or placed at rear of the house, or in unlocked passageway at ground level and accessible to the collectors. Containers shall not be kept or placed upon street, sidewalk or other public place. (Section 17.6)

c. Disposal

(1) Sanitary Landfill

(a) All ashes, bulk, garbage, refuse and rubbish shall be delivered to landfill furnished and maintained by collector or at landfill where he has contract to use for disposal. Collector shall provide and use necessary equipment so as to assume daily covering, adequate compaction, and control of dust, litter, insects, rodents and fire.

(b) Vertical or sloping ends of daily fills may be covered with a minimum of one foot of earth.

(c) Collector must provide access road and shall insure presence of employee site at all times.

(d) Public may use site upon payment of proper changes. (Section 17.13)

(2) Onsite Disposal

Garbage and other combustible wastes may be disposed within the building where it accumulates, or within a closed building accessory thereto, by complete incineration of such garbage or wastes in such a manner as to create no noxious odors, fire hazard, smoke or other nuisance or by grinding or shredding it finely and disposing of it through pipes leading to a public sanitary sewer. (Section 17.14)

2. Prohibited Activities

a. It shall be unlawful for owner or occupant to allow garbage or refuse to collect and remain upon the premises. (Section 17.6a)

b. It shall be unlawful for any person vacating premises to fail to remove garbage, rubbish, refuse or ashes from premises or fail to place premises in sanitary condition 24 hours after premises vacated. (Section 17.6b)

c. It shall be unlawful to litter or to disturb the contents or remove the lid of any container. (Sections 17.7 & 17.8)

d. It shall be unlawful to scavenge at any sanitary landfill site. (Section 17.13)

e. It shall be unlawful for any person to burn or attempt to burn garbage, hazardous materials, bulk, refuse and rubbish in open places. (Section 17.15)

V. ENFORCEMENT

1. Administrative Proceedings

The Director of Public Works shall have the power to arbitrate or to provide for arbitration of any and all disputes arising between contract collectors and citizens of the City of Salem, and upon instruction from the City Administrator to suspend the franchise of any franchise holder for noncompliance after reasonable notice of any award or decision made in arbitration or upon conviction of any violation of this ordinance. (Section 17.3)

2. Penalties

Any person violating any provision shall be subject to penalties set forth else.here in this Code. (Section 17.8)

3. Performance Bonds and Insurance

a. $ 20,000 surety bond or cash deposit.

b. $100,000 death or injury to one person
300,000 death or injury to more than one person
50,000 on each vehicle for property damage. (Section 17.9)

MEMPHIS, TENNESSEE

I. NAME OR ORDINANCE

An Ordinance Regulating the Collection of Garbage and Rubbish and Establishing a Sanitation Fee for the Collection thereof, Ordinance No. 187, 3 June 1968.

II. GENERAL STATEMENT

1. Definitions

a. Garbage includes accumulations of both animal and vegetable matter, liquid or otherwise, that attend the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables, tin cans or other containers originally used for food stuffs.

b. Rubbish includes all non-putrescible solid waste, consisting of both combustible and non-combustible waste such as paper, cardboard, glass, crockery, excelsior, cloth and similar materials. It shall not include bulky refuse, meaning stoves, refrigerators, water tanks, washing machines, broken furniture or similar bulky materials having a weight greater than 75 pounds and volume greater than 35 gallons.

c. Industrial waste includes all such wastes peculiar to industrial, manufacturing or processing plants. It includes hazardous refuse.

d. Hazardous refuse includes any chemical, compound, mixture, substance or article which may constitute a hazard to health or may cause damage to property by reason of being explosive, flammable, poisonous, corrosive, unstable, irritating, radioactive or otherwise harmful. (Section 19-1)

III. ADMINISTRATION

1. Responsible Agency

Director of Public Works

2. Functions and Powers

a. To remove and dispose of garbage, rubbish and industrial garbage. (Section 19-3)

b. To make rules and regulations. (Section 19-4)

c. To issue permits for the private collection of garbage, rubbish or industrial waste. (Section 19-19)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All industrial and hazardous waste shall be disposed of by those who generate such waste. Such industries may apply for a special permit or may dispose of industrial waste by licensed private collectors. (Section 19-5a)

b. All pathogenic and radioactive waste shall be disposed of by the hospital or institution generating such waste. (Section 19-5b)

c. Every person must keep a sufficient number of individual (can type) containers. Lids or covers of such containers shall be kept tightly closed at all times. Containers provided shall not be larger than 25 inches in diameter and 30 inches in height nor smaller than 14 inches in diameter and 16 inches in height (20 and 30 gallon containers). All containers shall be made of galvanized or plastic material. (Section 19-6)

d. Containers shall be placed at a convenient and accessible point in the yard within 5 feet of an alley. (Section 19-7)

e. Garbage and other liquid substances shall be kept in a separate container and shall be drained and wrapped. (Section 19-8)

f. The city may establish public dumps, sanitary landfills or other place of disposal. Any vehicle presented for dumping shall be enclosed at the sides and back or equipped with a tarpaulin. (Section 19-9)

g. Leaves, grass cuttings and garden trimmings, weeds and roots may be deposited adjacent to the front property lines or in cardboard boxes or other containers. (Section 19-10)

h. Magazines and newspapers shall be bundled and securely tied. (Section 19-10)

i. Building debris will not be removed by the Division of Public Works, and the owner must cause such materials and waste to be privately moved. (Section 19-17)

j. The Director may authorize the private collection of garbage and rubbish except for residential units, apartment building of three stories or less and commercial establishments in Groups 1 and 2. (Section 19-18)

2. Prohibited Activities

a. It shall be unlawful to keep garbage or rubbish so as to become offensive to health. (Section 19-21)

b. It shall be unlawful for any person to interfere with a garbage or rubbish container. (Section 19-22)

c. It shall be unlawful to dispose of any garbage, rubbish or other waste material upon any property other than a garbage dump or sanitary landfill. (Section 19-23)

d. It shall be unlawful to litter. (Section 19-24)

V. ENFORCEMENT

1. Requirements for Permits

a. Any person desiring to engage in private collection of garbage, rubbish or industrial waste is required to secure a permit from the Collector of Licenses and Privileges. The annual permit fee is $240.00. (Section 19-19)

b. Any private collector who desires to secure a permit for the collection from any particular location shall submit an application for each collection to be so collected. (Section 19-20)

2. Inspection Procedure

The Health Department is authorized to inspect any premises for the purpose of seeing that the requirements for this ordinance are being compiled with. (Section 19-21)

3. Liability for Violators

A permit may be suspended or revoked when the permit is being exercised in violation of this ordinance. (Section 19-19)

4. Administrative Proceedings

Within ten days after the notice of suspension or revocation is given, the collector may ask for a hearing before the Director. If no request for a hearing is made, the suspension for the period listed or the revocation shall be final. The decision of the Director shall be appealable to the City Council. (Section 19-19)

5. Penalties

It is a misdemeanor to litter or to violate any of the requirements of Sections 19-21, 19-22, and 19-23 hereof.

EL PASO, TEXAS

I. NAME OF ORDINANCE

Chapter II, Article I, El Paso City Code, ''Garbage, Trash and Weeds,'' January 1, 1967.

II. GENERAL STATEMENT

Definitions

a. Garbage includes kitchen and table refuse, offal, swill and accumulations of animal, fruit or vegetable matter that attend the preparations, use, consumption, decay, selling or storing of food.

b. Waste includes solid refuse or discarded matter other than garbage.

III. ADMINISTRATION

1. Responsible Agency

   Superintendent of Sanitation

2. Functions and Powers

   a. To give permission to occupant to use private hauler. (Section 11-6)

   b. To accept permit applications. (Section 11-12c)

   c. To inspect and certify vehicles for permits. (Section 11-12d)

   d. To suspend and/or revoke permits. (Section 11-13)

   e. To approve incinerators. (Section 11-17)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Storage

      (1) Any person in charge of any building shall provide sufficient containers to hold all garbage and waste accumulated from one collection to the next. (Section 11-3)

      (2) Containers shall be plastic or galvanized with a capacity of 20-32 gallons, maximum weight of 80 pounds when fully watertight, have two handles, close-fitting lid, and be kept in good repair at all times. (Section 11-3)

(3) Places of business which accumulate more than 50 gallons of waste within 24 hours may use large cans for such waste, but not for garbage. Superintendent may limit type and location of larger cans. (Section 11-3)

(4) If city has equipment to use mechanical containers, said containers may be used if they have a minimum capacity of six cubic yards. (Section-11-3)

(5) If collection route is in the alley, cans shall be placed in alley close to boundary or on property line if easily accessible. Cans must not become an eyesore or public nuisance. (Section 11-4)

(6) If collection route is in the street, cans shall be placed at an easily accessible point in the backyard. (Section 11-4)

(7) All nonmetallic containers and all metallic containers with a cubic capacity of 10 or more gallons shall be placed for collection without being broken-up and tied in bundles not exceeding 50 pounds in weight. (Section 11-4)

b. Collection

(1) All garbage shall be removed from residences by Department of Sanitation at least twice a week. (Section 11-6)

(2) An occupant may obtain a license to remove his own garbage and waste but commercial haulers may remove residential, except single family residences; or duplexes, tri-plexes, or four-plexes waste, and garbage only with permission of superintendent. (Section 11-10)

(3) All garbage shall be removed daily from all places where food is to be served to the public and eaten on the premises. (Section 11-7)

c. Transportation

(1) All licensed vehicles shall be fully enclosed or covered with a tarpaulin so as to avoid spilling, disseminating odors, and attracting insects.

(2) All vehicles shall be closed or covered at all times except when loading or unloading.

(3) Any garbage or waste spilled shall be immediately replaced. (Section 11-15)

d. Disposal

(1) Sanitary Landfill

Unloading must be at place and in a manner designated by foreman or superintendent.

(2) Incinerators may be used only under the following conditions:

(a) Destruction of waste from industrial process of incinerator approved by the superintendent.

(b) Destruction of waste from any medical facility of any infected materials. Incinerators must be approved by city-county health unit.

(c) Incinerators built prior to August 16, 1966 may remain in operation as long as they do not become a nuisance or fire hazard. These incinerators may not be enlarged or rebuilt.

(d) No garbage, except infected garbage, shall be placed in an incinerator.

(e) All ashes shall be cooled and then placed in containers not exceeding 20 gallons at least twice a week for collection. (Section 11-15)

(3) Dead Animals

Owners must remove within 12 hours after death. (Section 11-19.1)

2. Prohibited Activities

a. It shall be unlawful for any person to operate a vehicle not complying with the provisions of this Ordinance. (Section 11-15a)

b. It shall be unlawful for any person to dispose of garbage or water under a commercial permit except at a designated city sanitary landfill. (Section 11-15b)

c. It shall be unlawful for any person in charge of a place where food is to be eaten on the premises or is served to the public to allow garbage to remain on the premises longer than 24 hours. (Section 11-16a)

d. It shall be unlawful for any person to burn any garbage or waste in any open fire, can, drum, barbeque pit or cooker without permission of the fire marshal and superintendent. (Section 11-17b)

e. It shall be unlawful for any person to deposit any waste matter in any public or private property without the permission of the superintendent and person having control of such property. (Section 11-19)

f. It shall be unlawful for any person to place for removal any mattress or bedding recently used by a person having an infectious disease. (Section 11-18)

V. ENFORCEMENT

1. Requirements for Permits

   a. No person other than city employees shall collect, remove or dispose of garbage or waste without a private hauler's permit or a commercial hauler's permit.

   b. Application shall be made to superintendent.

   c. Permits shall be valid from March 1 - February 28 (29). (Section 11, 11-12)

2. Inspection

   a. Vehicles must be certified by superintendent prior to receipt of permit. (Section 11-12c)

   b. Vehicles are subject to inspection at anytime. (Section 11-15d)

3. Administrative Proceedings

   After five days' notice and an opportunity to be heard, any permit may be suspended or revoked at any time by the superintendent for violation of any provision of this Ordinance or failure to carry out lawful agreement for the removal of garbage or waste, the permittee may appeal to the city council. (Section 11-13)

4. Penalties

   a. Violation of any provision of this article shall be a misdemeanor and punishable as such. Each day of violation is a separate offense.

   b. Knowingly making a false statement regarding fees is a misdemeanor. (Section 11-20)

5. Insurance

   a. $10,000 - death or injury to one person in one accident.

   b. $20,000 - death or injury to more than one person - one accident.

   c. $ 5,000 - property damage. (Section 11-12d)

LOGAN CITY, UTAH

I. NAME OF ORDINANCE

Title 9 Refuse, Waste and Rodents, 15 July 1969.

II. GENERAL STATEMENT

1. Definitions

   a. Premises includes land, buildings, or other structures, vehicles, or parts thereof, upon or in which refuse is stored. (9-1-1)

   b. Refuse includes all solid wastes of a community, including garbage, ashes, rubbish, dead animals, street cleanings, and solid market, and industrial wastes, but not including body wastes. (9-1-1)

   c. Gallons refers to the capacity in gallons of a refuse or garbage container, it being contemplated that an ordinary refuse container shall be a capacity of approximately 20 gallons. (9-1-1)

   d. Garbage includes putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and/or consumption of foods. (9-1-8)

   e. Ashes includes residue from the burning of wood, coal, coke, or other combustible materials. (9-1-8)

   f. Rubbish includes nonputrescible solid wastes, excluding ashes, consisting of paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, metals, and similar materials. (9-1-8)

   g. Dead animals includes small, dead animals not exceeding seventy-five pounds each in weight, which die in the normal course of community activity excluding condemned animals, animals from a slaughterhouse or other animals normally considered industrial refuse. (9-1-8)

III. ADMINISTRATION

1. Responsible Agency

   Chief Sanitarian or the legally designated authority of the City of Logan. (9-1-1:5)

2. Functions and Powers

   a. To control the storage, collection, and disposal of refuse.

   b. To provide a public refuse collection and refuse disposal service.

c. To approve and regulate the establishment, maintenance, and operation of private refuse collection systems and refuse - disposal methods and sites. (9-1-2)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. The following refuse shall be acceptable for collection: garbage; ashes; rubbish; and dead animals. (9-1-8)

b. Garbage shall be drained and wrapped. (9-1-10a)

c. Bulky rubbish such as trees, weeds, and large cardboard boxes, may be bundled so as not to exceed 4 feet in length nor fifty pounds in weight. (9-1-10b)

d. All other refuse shall be stored in durable, metal, watertight and easily washable containers which have close-fitting lids and adequate handles to facilitate collection or in two-ply 50 pound waterproof bag. Such containers shall be of not less than 10 gallons nor more than 30 gallons in capacity for households, nor more than 30 gallons in capacity for business. (9-1-10e)

e. All household refuse shall be collected at least once per week. (9-1-12a)

f. All institutional, business and industrial refuse shall be collected at least once per week. (9-1-12b)

g. All household refuse shall be placed on the curb. (9-1-13)

h. All disposal of refuse shall be by a method or methods in accordance with requirements of state and local law. (9-1-14a)

i. Animal offal and carcasses of dead animals shall be buried or cremated. (9-1-14c)

j. All collection vehicles shall have enclosed bodies or suitable provision for covering the body. They shall have watertight metal bodies of easily cleanable construction. (9-1-15)

2. Prohibited Activities

a. It shall be unlawful to place or deposit any refuse on any premises, except as designated by the terms of this chapter. (9-1-5a)

b. It shall be unlawful to feed any garbage to hogs, unless such garbage has been heat-treated to kill any disease agents therein. (9-1-14b)

c. It shall be unlawful for any person, except the City of Logan and those persons possessing an unrevoked permit, to regularly haul or transport refuse. (9-1-14d)

d. It shall be unlawful to throw any refuse upon any highway. (9-1-15e)

e. It shall be unlawful to burn papers, boxes, dry rubbish or similar materials unless burned in an incinerator. No open burning permitted where refuse collection service is available. (9-1-14f)

V. ENFORCEMENT

1. Requirements for Permits

a. It shall be unlawful to engage in refuse collection or refuse disposal without an unrevoked permit. (9-1-4a)

b. A permit issued under this chapter shall expire on the 1st day of July in each year. Permits shall be renewable annually. (9-1-4d)

2. Inspection Procedure

The responsible authority shall have the power to enter at reasonable times upon private or public property for the purpose of inspecting and investigating conditions and where necessary shall obtain a search warrant from a court having jurisdiction. (9-1-7)

3. Liability for Violators

The responsible authority may suspend or revoke a permit if an order is issued and corrective action has not been taken within the time specified in the notice. (9-1-6c)

4. Administrative Proceedings

a. Any person whose application for a permit has been denied may request a hearing. (9-1-4c)

b. Whenever it is determined that there has been a violation of any provision of this chapter, the responsible authority shall give notice of such alleged violation t the responsible person. Any person affected by such notice may request a hearing which shall be commenced not later than 10 days after the day on which the petition was filed. (9-1-6a & b)

c. After such hearing, the responsible authority shall sustain, modify, or withdraw the notice. (9-1-6c)

d. In case of emergency, the responsible authority may without notice or hearing issue a written order requiring corrective action. If such corrective action is not taken, he may take appropriate action. (9-1-6h)

5. Penalties

Any person who violates any provision of this chapter shall be punished by a fine of not more than $50 or by imprisonment for not more than 30 days. (9-1-16)

OTHELLO, WASHINGTON

I. NAME OF ORDINANCE

Garbage and Refuse Collection and Disposal, Chapter 5.08, February 15, 1967.

II. GENERAL STATEMENT

1. Declaration of Policy

The maintenance of health and sanitation require, and it is the intention hereof to make the collection, removal and disposal of garbage and refuse within the city compulsory and universal. (Section 4.08.010)

2. Definitions

a. Refuse includes garbage, rubbish, ashes, swill and all other putrescible and nonputrescible wastes except sewage, from all public and private establishments and residences.

b. Garbage includes all putrescible wastes and including vegetable wastes, animal offal, and carcasses of dead animals, but not including recognized industrial by-products, and shall include all such substances from all public and private establishments and residences.

c. Rubbish includes all nonputrescible wastes, except ashes, from all public and private establishments and residences.

d. Swill includes every refuse accumulation of animal, fruit, or vegetable matter liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables, except coffee grounds.

e. Ashes includes the solid waste products of coal, wood and other fuel used for heating and cooking, from all public and private establishments and from all residences. (Section 5.08.020)

III. ADMINISTRATION

1. Responsible Agency

City Sanitary Service (Section 5.08.030)

2. Functions and Powers

a. To charge and control all work contemplated for in this ordinance and in future rules and regulations.

b. To require separation of component parts of refuse and require the deposit thereof in separate cans or receptacles. (Section 5.08.190)

c. To determine rules, regulations, rates, responsibilities, salaries, and other necessary manners. (Section 5.08.260)

d. To buy or lease equipment for removal and disposal of refuse and purchase or leave a suitable location for a city dump. (Section 5.08.270 and 280)

e. To determine all rules and regulations in connection with operation of city dump. (Section 5.08.330)

IV. SCOPE OF LEGISLATION

1. Standards of Regulations

a. It is duty of every person in charge of any building where refuse is created or accumulated to keep portable cans of approved size, type and construction and put refuse therein. Cans shall be strong, watertight, and not easily corrodible, rodent proof, insect proof, between 20-33 gallons capacity and have handles and a tight fitting lid. After refuse placed in can, lid shall be promptly replaced. Cans shall be kept clean and stored in area easily accessible to the collector and within maximum of 10 feet to closest alley or means of access. (Section 5.08.050)

b. All cans stored outside shall be placed upon garbage can rack with bottom not less than 10 inches off ground level and so placed as to be easily reached and removed by collector. Rack must be sturdy and not able to be dislogged by animals or wind. If no alley access available, rack must not be able to be seen from street and owner must take cans from rack and bring them to collection point on day of collection (Section 5.08.070). The maximum weight of can when filled may not exceed 80 pounds. (Section 5.08.400)

c. All incinerator ashes shall be placed in garbage cans. (Section 5.08.360)

d. Residential collection shall be at least once a week and for commercial areas and apartment houses, it shall be as required by Superintendent. (Section 5.08.200)

e. All charges for garbage collection service are mandatory and universally compulsory for all. (Section 5.08.360)

f. All owners shall immediately clean up any litter or debris on any street or alley abutting their premises. (Section 5.08.100)

g. All waste paper, boxes, rubbish, debris, bush, leaves, grass, wood and tree cuttings may be burned on private property in approved incinerators. Such materials may also be hauled by individuals to the city dump. (Section 5.08.180)

h. Contractor shall maintain dump in sanitary manner. (Section 5.08.220)

i. All garbage shall be disposed of promptly. (Section 5.08.250)

j. All garbage refuse and other waste materials shall be deposited at city dump. (Section 5.08.290)

k. Dumping at city dump shall be under direct supervision of garbage collector of city who shall be under supervision of Superintendent of City Sanitary Service. (Section 5.08.300)

l. All garbage, refuse, and waste materials of the city shall be hauled to city dump and there disposed by mehtods approved by State Department of Health provided such methods include the maximum rodent, insect and nuisance control. (Section 5.08.310)

2. Prohibited Activities

a. It shall be unlawful for any person to bury, burn, dump, collect, remove or in any manner dispose of garbage or swill upon any street, alley or public place or private property within the city except as provided in this ordinance. (Section 5.08.180)

b. It shall be unlawful to dump or dispose of garbage, refuse, or other waste materials at any place except the city dump. (Section 5.08.290)

c. It shall be unlawful for any person, firm, partnership, association, institution, or corporation other than collector of refuse to dump at city dump without payment of regular fees and charges. (Section 5.08.320)

V. ENFORCEMENT

1. Requirements for Permits, Etc.

The city shall advertise for contract for exclusive right to collect, remove and dispose of all refuse. Such contract shall be let at least every five years. The City Council may refuse any or all bids and shall award contract to person who submits lowest bid and is best qualified and equipped. (Section 5.08.210)

2. Liability for Violators

a. If any owner or occupant fails to provide rack for garbage cans or permits contents of can to be spilled without immediately cleaning up, city shall build rack and/or clean up material and charge all labor and material cost to occupant. (Section 5.08.080 and 5.08.110)

b. If any owner or occupant of premises fails to clean up litter or debris in the street, alley, or public way abutting their property, the city shall cause the area to be cleaned and the owner or occupant shall be charged with the costs. (Section 5.08.100 and 5.08.110)

3. Administrative Proceedings

a. Any person who receives a notice of a nuisance under this chapter may, by request in writing filed with the City Clerk, ask for a hearing before the next regular meeting of the City Council on the matter complained of, and after the request is filed with the City Clerk, the City Supervisor shall suspend all abatement proceedings pending disposition of the hearing. If the person is aggrieved by the ruling of the City Council or other competent tribunal rules that a nuisance does exist or is or has been committed, the city supervisor shall proceed with the abatement as herein set forth. (Section 5.08.150)

b. The City Council, in its discretion, shall by resolution direct the City Supervisor to abate the nuisance. Except for a condition affecting the immediate health or safety of any person or persons, notice shall be given in writing to the property owner and offender, occupant or other person concerned or affected hereby, by personal service or certified mail, and if notice cannot be so given, then by posting notice on the affected or offending premises. Such notice shall describe briefly the nature of the nuisance, and state that if the nuisance is not abated within ten days from the date thereof, the city will abate the nuisance, and any reasonable expense for necessary labor and/or material, shall be charged against the offending person or occupant, and property owner. (Section 5.08.140)

c. If anyone is committing or has committed a nuisance the City Inspector may cause a courtesy reminder to be made to the offender, and if the nuisance continues, the City Supervisor shall make a written report of the nuisance, act, omission, or condition to the City Council. (Section 5.08.130)

d. If in the event the contractor shall at any time during the term of his contract fail to remove garbage or refuse, properly maintain the sanitary fill, or violate any other terms of his contract, the city may give the contractor thirty days notice in writing of the matters wherein the contractor is in default. In the event the contractor fails to correct the matter, the contractor shall be in default at the expiration of the thirty day period, and the contract may be terminated at the option of the city. (Section 5.08.230)

4. Penalties

a. If anyone deposits or permits depositing of any waste material or litter on any street, alley, public way, public or private property, such person commits a nuisance and is guilty of a misdeameanor. (Section 5.08.090)

b. Penalty depends on which provision of ordinance is violated.

   (1) For violation of sections 5.08.060 - 5.08.150, penalty is a $300 fine or 30 days in jail. (Section 5.08.160)

   (2) For violation of all other sections, penalty is fine not to exceed $100, imprisonment not to exceed 30 days or both. (Section 5.08.350)

5. Performance Bonds

A surety bond equal to principal amount of one year's contract price must be furnished by each successful contract bidder. (Section 5.08.210)

GREEN BAY, WISCONSIN

I. NAME OF ORDINANCE

Garbage and Refuse Collection, Chapter 8, recodified in 1964.

II. GENERAL STATEMENT

1. Declaration of Policy

2. Definitions

   a. Residential garbage includes the waste of animal, fruit and vegetable matter which results from the preparation of food in residential houses and kitchens.

   b. Commercial garbage includes waste of animal, fruit and vegetable matter which results from the preparation of food in hotels, clubs, restaurants, and other buildings, or which results from the handling of food material at markets, commission houses, butcher shops, and similar establishments, including in both cases natural content of moisture.

   c. Combustible refuse includes discarded, relatively dry, miscellaneous materials, comprising chiefly of wood, paper, rags, excelsior, straw, leather, rubber, boxes, sweepings from buildings and similar discarded articles of combustible nature.

   d. Non-combustible refuse includes discarded refuse incapable of incineration such as large tin cans, oil cans, glassware, ground, sod, stone, pottery-ware, metallic-ware, batters and heavily sanded roofing paper.

   e. Construction debris includes all waste resulting from the construction and reconstruction of any building, roadway, sidewalk, sewer, or lawn and any waste resulting from removal or trimming of trees and shrubs by private firms.

   f. Industrial wastes includes all refuse and nonusable by-products of any manufacturing process such as foundry wastes, pulpwood bark, commercial food processing wastes, hatchery wastes, and any type of combustible or non-combustible material produced in large quantities by any factory or business establishment. (Section 9.01)

III. ADMINISTRATION

1. Responsible Agency

   Director of Public Works (Section 8.02

2. Functions and Powers

a. To make regulations regarding collection and disposal of all solid wastes, operation dump and incinerator, and collection schedules. (Section 8.02)

b. To give permission for operation and supervise private dumps. (Section 8.09:2)

c. To make regulations governing operation of incinerators (Section 8.12:2) and municipal dumps. (Section 8.13:1)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Collection

(1) All normal accumulation of garbage and combustible and non-combustible refuse collected by the city without a fee. But industrial waste must be disposed of by owner.

(2) Commercial garbage collected by city will have fee fixed by the Council.

(3) Metal containers with tight fitting covers for transportation of garbage if covered or enclosed vehicle or conveyor not used. (Section 8.03)

b. Preparation of Garbage

(1) Garbage and combustible refuse must be kept separate. Mixed combustible and non-combustible wastes will not be collected and owner is responsible for proper separation.

(2) Residential garbage must be drained and wrapped prior to placing in container.

(3) Commercial garbage must be drained prior to placing in garbage.

(4) Each owner shall provide sufficient garbage and refuse containers. They shall be of metal, watertight, strong handles, tight fitting cover and not to exceed 21 gallons in capacity. When full they must not weigh more than 75 pounds. They must be kept clean, sanitary, and in good repair. Tied plastic bags may also be used. (Section 8.04)

c. Preparation of Combustible Refuse

(1) Branches, limbs, etc. must be cut in lengths of not more than 4 feet.

(2) Paper and paper cartons must be securely and compactly tied in bundles of less than two feet maximum dimension.

(3) Bulky materials such as wooden boxes, etc. must be broken up so they can easily be handled by one collector.

(4) Miscellaneous refuse shall be put in container of suitable size or handling. (Section 8.05)

d. Preparation of Non-combustible Refuse

No molding material shall be placed in any collection. All refuse must be in containers and collectors will not pick up refuse on ground. (Section 8.06)

e. Garbage containers may be picked up from rear of residence but refuse containers must be placed in front of property. (Section 8.07)

f. All garbage and combustible refuse shall be disposed of at municipal incinerator unless permission to do otherwise granted. (Section 8.08)

g. All non-combustible refuse shall be disposed of at city dump. (Section 8.09)

h. Owner must dispose of animal offal, manure and the like. (Section 8.15:2)

i. All construction debris shall be disposed of by owner, builder, or contractor at a municipal dump. (Section 8.10)

j. Any infectious material must be disposed of under supervision of Health Commission. (Section 8.15:3)

k. Industrial waste which constitutes a nuisance shall be disposed of at an incinerator or municipal dump. (Section 8.11)

2. Prohibited Activities

a. Disposal of Garbage and Combustible Refuse

(1) It shall be unlawful for any person to burn any garbage, refuse or rubbish outside at any time.

(2) It shall be unlawful for any person to deposit or place any garbage or combustible refuse on any street, alley, public or private place or any body of water.

(3) It shall be unlawful for any person to remove any waste from containers or private premises without consent of occupant. (Section 8.08)

b. Disposal of Non-combustible Refuse

(1) It shall be unlawful for any person to make a private dump without special permission and under supervision of Director of Public Works.

(2) It shall be unlawful to deposit or place any non-combustible refuse upon any street, alley, public private place or any body of water except in a container. (Section 8.09)

c. It shall be unlawful to deposit garbage or refuse at hours other than those stipulated. (Section 8.12:2)

d. It shall be unlawful to sort refuse at incinerator or landfill site for personal gain. (Section 8.12:3)

e. Regulations Governing Municipal Dump

(1) It shall be unlawful to deposit at a dump any material that can be incinerated at an incinerator.

(2) It shall be unlawful to deposit refuse except on days and hours fixed by Director of Public Works.

(3) It shall be unlawful for any private person to start any fire or deposit any burning material at a dump. (Section 8.13)

f. It shall be unlawful to deposit any explosive material at any dump or incinerator. (Section 8.15:4)

V. ENFORCEMENT

1. Requirements for Permits, etc.

All private collectors must obtain a permit from the City Council. Such permit requires that the applicant meet the requirements of sanitary regulations pertaining to nuisances and be approved by Health Officer. (Section 8.03:3)

2. Inspection Procedures

3. Liability for Violators

a. If a dump is ordered closed and land is not graded, leveled and covered after sufficient notice, the Director of Public Works shall do so and charge expenses to owner. (Section 8.09:2)

b. The Director of Public Works may refuse collection service for noncompliance with these records. (Section 8.16)

c. Any person whose service is withdrawn and allows garbage and refuse to accumulate on his premises may be prosecuted. (Section 8.16)

4. Administrative Proceedings

If in the event the contractor shall at any time during the term of his contract fail to remove garbage or refuse, properly maintain the sanitary fill, or violate any other terms of his contract, the city may give the contractor thirty days notice in writing of the matters wherein the contractor is in default. In the event the contractor fails to correct the matter, the contractor shall be in default at the expiration of the thirty day period, and the contract may be terminated at the option of the city. (Section 5.08.230)

5. Penalties

A fine of between $1 and $100 plus costs or in default of payment thereof, shall be imprisonment until paid, not to exceed 90 days. Each day of violation shall constitute a separate offense.(Section 8.17)

LOS ANGELES COUNTY, CALIFORNIA

I. NAME OF ORDINANCE

An Ordinance Regulating and Licensing Business and other Activities; Chapter 9, Waste Collection and Transportation, Ordinance No. 5860, 1952, as amended by Ordinance No. 6104.

II. GENERAL STATEMENT

1. Declaration of Policy

This Ordinance has for its purpose sanitation and the preservation of the public health.

2. Definitions

a. Combustible rubbish includes all discarded combustible material including, but not limited to, papers, rags, household bedding, excelsior or other packing materials, cartons, boxes, and containers of wood or fibre, sawdust, shavings, lumber scraps, wood, or wooden articles, trees, plants, vines and the prunings thereof. (Section 25.5)

b. Garbage includes all discarded food, animal offal, or fruit and vegetable waste resulting from the preparation of food, or any manufactured product thereof from, but not limited to, private dwellings, flats, canneries, kitchens, boarding houses, apartment houses, hotels, restuarants, or other place or institution, public or private, where garbage is produced, or the waste or cleanings from chickens or other fowl, rabbits or other animals, fish or otner sea food, that shall have been prepared for, or intended to be used as food. Exceptions: Market refuse or the hides, fat, or bones of four-fotted animals, or grease, meat scraps, or other similar materials being transported to a rendering plant for processing. (Section 26.2)

c. Market refuse includes waste vegetables or fruit, or the cuttings, trimmings, residue, or scraps therefrom that have resulted from the preparation of vegetables or fruit in markets or packing houses for public sale in markets and shall not include meat scraps, bones, or other garbage. (Section 26.8)

d. Noncombustible rubbish includes all discarded material not included within the term''Combustible Rubbish'' including but not limited to, bottles, broken glass, crockery, earthenware, tin cans, tineware, wire and other articles of discarded metal, automobile tires and tubes, batteries, keys, barrels, and metal casks, brick, concrete, and plaster left from the construction of new buildings or from the repair or alterations of old buildings. (Section 26.9)

e. Rubbish includes combustible and noncombustible rubbish and includes all material usually known as rubbish, also trash, debris, lawn cuttings, tree trimmings, or any refuse or waste matter other than garbage, manure, market refuse, or the hides, fat, or bones of four-footed animals, or grease, meat scraps, or other similar materials being transported to a rendering plant for processing. (Section 28.5)

III. ADMINISTRATION

1. Responsible Agency

Health Department

2. Functions and Powers

a. To issue licenses for waste collector and waste hauler and charge annual fees. (Sections 1611 and 1612)

b. To approve methods for collecting and transporting garbage and rubbish. (Sections 1651, 1653 & 1654)

c. To enforce the provisions of the Ordinance. (Sections 1681 & 1700)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All garbage and rubbish must be collected and transported by means of vehicles equipped with water-tight metal tanks and covered by a suitable water-proof tarpaulin, metal covers or other satisfactory and acceptable methods. (Sections 1651, 1651.5, 1652, 1653 & 1654)

b. All rubbish, garbage, and industrial waste collected or transported upon or along any public highway must be disposed of at a waste disposal facility where such waste legally can be accepted. (Section 1657)

c. All contracts for the collection of rubbish or garbage from residential areas must provide for the furnishing of the following minimum standard type of service:

(1) Garbage and rubbish must be collected not less than twice each week.

(2) Combustible and noncombustible rubbish must be collected at least once each week from containers having a capacity of not less than five gallons nor more than thirty-five gallons. Bundles of combustible rubbish should not exceed four feet in length and not over fifty pounds each. (Section 1684)

d. The collector shall not collect garbage and rubbish within a residential area between 10:00 p.m. and 6:00 a.m. (Section 1687)

e. Garbage and rubbish containers must be leakproof, metal, equipped with a bail or handles and have a tight fitting cover. (Sections 1702 & 1704)

2. Prohibited Activities

It shall be unlawful for any person other than the waste collector to deface, alter, or obliterate any identification place on any container, bin, or other equipment. (Section 1709)

V. ENFORCEMENT

1. Requirements for Licenses

Every person operating trucks in the business of collecting, hauling, and disposing of any rubbish, garbage, or industrial waste must procure a license and pay an annual license fee. (Section 1611)

2. Bonds

The Tax Collector shall not issue a Waste Collector's license or a Waste Hauler's license until the applicant files a cash bond or a corporate surety bond. (Section 1618)

DUPAGE COUNTY, ILLINOIS

I. NAME OF ORDINANCE

DuPage County Solid Waste Disposal Ordinance, April 26, 1967

II. GENERAL STATEMENT

1. Declaration of Policy

   The purpose of this Ordinance is to eliminate and prevent health, welfare and safety hazards by establishing standards for and regulating the use and operation of solid waste disposal sites.

2. Definitions (Section 1)

   a. Solid waste disposal site includes any site used for the disposal of refuse from more than one residential premise, or one or more commercial, industrial manufacturing or municipal operation.

   b. Sanitary landfill operation includes a method of disposing of refuse on land without creating nuisances or hazards to the public health or safety by confining refuse to the smallest practical area, compacting it to the smallest practical volume by employing approved power equipment, and covering with a layer of compacted earth, or other suitable cover material at the conclusion of each day's operation.

   c. Garbage includes animal and vegetable waste resulting from the handling, processing, storage, packaging, preparation, sale, cooking and serving of meat, produce and other foods.

   d. Rubbish includes solid waste other than garbage, including residential, commercial, industrial, manufacturing and municipal waste.

   e. Refuse includes all waste substances, but not limited to the following:

      (1) garbage

      (2) combustible rubbish

      (3) noncombustible rubbish

      (4) street rubbish

      (5) ashes

      (6) solid and semi-solid wastes resulting from industrial processes and manufacturing operations.

      Exceptions: any un-processed earth, stone or minerals.

III. ADMINISTRATION

1. Responsible Agency

   Director of the Health Department through Administrator

2. Functions and Powers of Administrator (Section 3.2)

   a. To supervise the execution of all laws, ordinances, rules, and regulations pertaining to solid waste disposal.

   b. To institute necessary proceedings to prosecute violations of this ordinance.

   c. To issue permits, certificates, or notices.

   d. To encourage and conduct studies, investigations and research relating to various aspects of solid waste disposal.

   e. To investigate complaints.

   f. To formulate additional regulations.

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Refuse disposal may be conducted only at a solid waste disposal site for which a permit is issued and only by means of a sanitary landfill operation. (Section 4.1) All non-conforming operations declared illegal. (Section 4.2)

   b. Dumping of refuse on the site must be confined to the smallest practical area. (Section 6.2)

   c. Refuse must be spread and compacted in shallow layers of about two to three feet in compacted depth. (Section 6.3)

   d. Cover must be of such quality as to prevent fly and rodent attraction and breeding, blowing litter, release of odors, fire hazards, and unsightly appearance. (Section 6.4)

   e. Sewage solids or liquids, septic tank pumpings, and other liquids or hazardous substances must not be discharged to a sanitary landfill unless written approval has been obtained. (Section 6.5)

   f. Conditions unfavorable for the production of insects and rodents must be maintained by carrying out routine landfill operations systematically. (Section 6.6)

   g. All salvage operations must be conducted in a sanitary manner. (Section 6.7)

h. Landfill operation must not be conducted in open water. (Section 6.9)

2. Prohibited Activities (Section 6.8

All feeding of farm or domestic animals, deposition of refuse in standing water, and burning, except in an incinerator, are prohibited upon the site of the sanitary landfill.

V. ENFORCEMENT

1. Requirements for Permits

a. Unlawful to use a disposal site without securing a valid permit. (Section 5.1)

b. Plans by Registered Professional Engineer must accompany application. The application must show initial and final topography, drainage, roads, fencing, fill and borrow areas, scales, and buildings. It also must include data on subsoil and ground water conditions, equipment, fire protection, nature of cover material. (Section 5.2)

c. A permit is issued to the applicant if the proposed disposal site meets the proper zoning and site requirements and the plan of operation is in accordance with the requirements of a sanitary landfill operation. (Section 5.5)

2. Inspections

The Administrator or his representatives are authorized and directed to make monthly inspections of all disposal sites. (Section 7.1)

3. Liability for Violators (Section 7.3)

If the owner, his agent and any other person managing any site are in violation of the provisions of this ordinance, they shall be liable for such violation.

4. Administrative Proceedings

a. If any provisions of this ordinance are violated, the Administrator shall serve a Notice to Appear upon the responsible person(s) (Section 3.4)

b. Administrator may seek summary abatement of immediate health or safety hazards. (Section 3.5)

c. Any person affected by any final decision of the Administrator may take an appeal to the Director within 30 days after receiving notice of such decision. (Section 3.6)

   d. The Director, after the hearing, shall affirm, modify, or reverse the decision. (Section 3.6)

5. Penalties

   Any person who fails to comply with the provisions of this ordinance shall be guilty of a misdemeanor and fined not less than $100 nor more than $500. (Section 7.4)

6. Performance Bonds

   Operation of a disposal site is conditioned upon the delivery of a performance bond issued by a surety company. (Section 5.4)

7. Injunctive Powers

   a. The Administrator is authorized to direct the State's Attorney of DuPage County to initiate legal or equitable proceedings to enforce compliance, including suit on any performance bond and including actions for injunctive relief to compel compliance. (Section 7.5)

   b. The Director may petition the Circuit Court for an injunction, either mandatory or prohibitive, to enforce his decision following appeal of Administrator's decision. (Section 3.7)

KANE COUNTY, ILLINOIS

I. NAME OF ORDINANCE

Sanitary Landfill Control Ordinance of Kane County, Illinois, March 12, 1968.

II. GENERAL STATEMENT

1. Declaration of Policy

   The purpose of this Ordinance is (i) to prevent the spread of disease and the contamination of air and water resources; (ii) to prevent public nuisances and the emanation of malodors; (iii) to preserve property values; and (iv) to preserve and protect the public health, safety, comfort, and general welfare.

2. Definitions (Article 2)

   a. Refuse includes all solid wastes such as putrescible and nonputrescible, combustible and noncombustible substances.

   b. Building and demolition wastes includes any and all refuse or residue resulting directly from building construction, reconstruction, repair, demolition, grading, excavation or other incidental work in connection with premises or the replacement of building equipment or parts thereof. Exceptions: Refuse or residue resulting from minor, as a rule, noncommercial repairs to a private dwelling made customarily by the owner or occupant himself.

   c. Sanitary Landfill includes a type of operation in which wastes are deposited in or on land by plan utilizing the principles of engineering to confine the waste to the smallest practical area, to reduce it to the smallest practical volume, to cover it with a layer of earth at least at the conclusion of each day's operation, and to accomplish all this without creating nuisances or hazards to public health or safety.

III. ADMINISTRATION

1. Responsible Agency

   Zoning Enforcing Officer

2. Functions and Powers

   a. To inspect all waste disposal operations. (Article 11)

   b. To document a complaint by photographic pictures and to furnish a copy of such pictures to the owner and/or operator of the site. (Article 11)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. All operations for the disposal of wastes in or on land must be registered with the county. (Article 3)

b. All waste disposal site locations must conform to applicable state laws and county or municipal zoning laws and ordinances. (Article 4)

c. The site must be adequately fenced or otherwise contained to prevent unauthorized entrance. (Article 5)

d. Dumping of waste on the site should be confined to the smallest practical area. (Article 6)

e. No burning shall take place on the site except in extraordinary cases by permission of the county. (Article 6)

f. Refuse must be spread and compacted in shallow layers of two to three feet maximum in compacted depth. (Article 6)

g. A uniformly compacted layer of at least 6 inches of suitable cover material must be placed on all exposed waste by the end of each working day. (Article 6)

h. All intermediate and final covers must be graded so as to prevent any erosion. (Article 6)

i. Adequate precautions should be taken to prevent the breeding of insects and rodents. (Article 8)

j. Dead animals may be accepted provided that they are delivered at a convenient time for immediate burial. (Article 9)

k. No salvage operations shall be allowed unless specifically permitted in writing by the county. (Article 10)

2. Prohibited Activities

a. All scavenging operations, feeding of farm or domestic animals on the disposal site, and the depositing of refuse in standing water are prohibited. (Article 7)

b. Liquids should not be disposed of in sanitary landfills except extraordinary circumstances. (Article 9)

V. ENFORCEMENT

1. Requirements for Permits

The disposal of hazardous and extraordinary wastes requires a special written permit from the county. (Article 9)

2. Inspection

All waste disposal operations must be subject to inspection by the Enforcing Officer. (Article 11) All intermediate and final covers should be inspected at least monthly for 1 year following their completion. (Section 7)

3. Administrative Proceedings

In case of violation, the County Zoning Board of Appeals shall give notice to the violator and the owner of the land. After a hearing, the board may terminate and rescind the approval of land for the operation of sanitary landfill. (Article 11)

4. Penalties

Any violator is subject to a fine of not more than $200 for each offense, or imprisonment for a period of not more than 6 months, or both. (Article 11)

5. Performance Bond

The owner, or operator, should furnish to the county a performance bond of $5,000. (Article 12)

MADISON COUNTY, ILLINOIS

I. NAME OF ORDINANCE

Ordinance Regarding the Regulation of Sanitary Waste Disposal Sites and Sanitary Landfills, 1967

II. GENERAL STATEMENT

1. Declaration of Policy

To protect the general health and to control disease throughout Madison County.

2. Definitions (Article 2)

a. Solid waste disposal sites includes any site such as a sanitary landfill or dump used for the disposal of solid or semi-solid wastes from more than one premises, or from a commercial or industrial operation, not suitable for discharge into water carriage waste disposal systems.

b. Sanitary landfill includes any method of disposing of refuse on land without creating nuisances or hazards to the public health or safety by confining refuse to the smallest practical volume by employing power equipment, and covering with a layer of compacted earth or suitable cover material at the conclusion of each day's operation, or at such intervals as may be necessary.

c. Dump includes all land or parcels of land on which non-putrescible refuse is accepted for deposit or permitted to be deposited regardless of whether a charge is made therefor.

d. Garbage includes all animal and vegetable waste and all putrescible matter.

e. Combustible waste includes all waste substances capable of incineration or burning, but excluding explosives or highly inflammable material.

f. Noncombustible waste includes all other waste substance not capable of incineration or burning, such as earth fill, glass, metal, earthenware and the like.

g. Refuse includes all waste substances such as garbage, combustible and noncombustible wastes.

h. Garbage disposal area includes any area to which garbage, combustible wastes, noncombustible wastes, and refuse are to be hauled for disposal.

III. ADMINISTRATION

1. Responsible Agency

   Sanitation Officials of Madison County and the Madison County Sanitation Committee

2. Functions and Powers

   a. To enforce this ordinance.

   b. To provide for adequate and frequent inspection of disposal sites.

   c. To carry out and perform all administrative duties.

   d. To hear and determine appeals.

   e. To determine whether the issuance of the permit is required. (Article 3, Sec. J, 1)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Leakage from the landfill must not contaminate the ground waters or streams in the area. (Article 4, Sec. B(a))

   b. The landfill site must be adequtuately fenced. Opening and closing hours and days of operation shall be clearly shown. (Article 4, Sec. C(a))

   c. All-weather roads must be provided for vehicular movement. (Article 4, Sec. C(b))

   d. A shelter, drinking water and toilet facilities must be provided. (Article 4, Sec. C(c))

   e. All refuse disposal sites or facilities must be registered with the Sanitation Committee. (Article 4, Sec. D)

   f. All refuse disposal site locations must conform to applicable state, county or municipal zoning laws and ordinances. (Article 4, Sec. G)

   g. Mixed refuse material must be spread out so that the depth does not exceed a maximum depth of 2 feet prior to its compaction. (Article 4, Sec. J,2)

   h. The areas must be continually policed to prevent fires and the blowing of papers. (Article 4, Sec. J, 3)

   i. A minimum depth of 12 inches of compacted cover must be kept on all inactive faces of the landfill at all times. (Article 4, Sec. J, 4)

j. Measures should be taken to prevent soil erosion. (Article 4, Sec. J, 5)

k. Any salvage material must be handled in such a manner as to prevent rat harborage and permit proper operation of the landfill. (Article 4, Sec. J, 9)

l. Adequate fire-fighting equipment must be available on the site at all times. (Article 4, Sec. J, 11)

m. The permit holder must institute adequate dust control measures at all times. (Article 4, Sec. J, 14)

n. Insects and rodents on the landfill site must be controlled and exterminated. (Article 4, Sec. J, 15)

o. Dumps may accept for deposit only noncombustible waste containing no putrescible material. (Article 4, Sec. D, 2)

p. Compositing of refuse should be done only with prior approval of the Sanitation Committee. (Article 4, Sec. D)

q. Garbage feeding to swine should be done only with prior approval. (Article 4, Sec. G)

r. Every vehicle used in hauling garbage must be leakproof, and all garbage must be placed in containers. (Article 4, Sec. B, 3)

2. Prohibited Activities

a. Burning of any material at a dump or landfill is prohibited unless a permit has been issued. (Article 4, Sec. J, 10)

b. Open dumping is prohibited. (Article 4, Sec. E)

V. ENFORCEMENT

1. Requirements for Permits

a. Unlawful to operate a sanitary landfill or disposal site without a permit from the sanitation official. (Article 4, Sec. A(A))

b. Permit fee for operating sanitary landfill or disposal site is $300 per year. (Article 4, Sec. A)

c. No person shall operate any vehicle without obtaining a permit by paying $5.00 fee for each year. (Article 4, Sec. B)

2. Inspection Procedure

Sanitation Official and/or any member of the Sanitary Committee is authorized to make such inspections as are necessary to to determine satisfactory compliance with this ordinance. It is the duty of the operator of a sanitary landfill to give the official or the committee free access to the property for the purpose of making inspections. (Article 5)

3. Liability for Violators

The Sanitation Official may suspend any permit upon violation of the terms of this ordinance. The Sanitation Committee may revoke any permits upon finding that the permittee has violated any of the provisions of the ordinance. (Article 4, Sec. A)

4. Administrative Proceedings

No permit shall be revoked except after a public hearing by the Sanitation Committee within a 10 day written notice to appear and defend. (Article 4, Sec. A)

5. Penalties

Any person who fails to comply with the provisions of this ordinance is deemed guilty of a misdemeanor and subject to a fine not to exceed $200.00. (Article 6, Sec. A)

6. Performance Bonds

The Sanitation Official shall issue a permit upon delivery of a performance bond issued by a surety company in the amount of $10,000. (Article 4, Sec. A)

WELLS COUNTY, INDIANA

I. NAME OF ORDINANCE

Garbage and Rubbish Ordinance No. H.B. -2-1966, 1966.

I. GENERAL STATEMENT

1. Declaration of Policy

   Protection of Public Health

2. Definitions (Article 1)

   a. Garbage includes rejected food wastes such as waste accumulation of animal, fruit or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables.

   b. Rubbish includes such matters as ashes, cans, metalware, broken glass, crockery, dirt, sweepings, boxes, wood, grass, weeds, or litter of any kind.

   c. Sanitary landfill includes any method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing principles of engineering to confine the refuse to the smallest practical areas, to reduce it to the smallest practical volume, and to cover it with a layer of suitable cover at the conclusion of each day's operation or at more frequent intervals as necessary.

   d. Hazardous materials includes explosives, pathological wastes, radioactive materials and chemicals.

   e. Refuse includes any combination of garbage and rubbish.

III. ADMINISTRATION

1. Responsible Agency

   County Health Officer

2. Functions and Powers

   a. To issue permits to engage in the disposal of garbage or rubbish. (Section 201)

   b. To inspect each garbage and rubbish disposal site. (Section 301)

   c. To enforce this ordinance. (Section 501)

   d. To report any violations of the provisions of this ordinance to the County Prosecuting Attorney. (Section 502)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

- a. Sanitary landfill operations should not cause unlawful pollution. (Section 402)
- b. Any materials considered food for rodents and insects should be disposed of daily in a sanitary manner. (Section 403)
- c. Salvaging, if permitted, should not interfere with prompt sanitary disposal of refuse. Scavenging should not be permitted. (Section 404)
- d. Burning should be permitted only in designated areas. (Section 405)
- e. Hazardous materials should not be disposed of in a sanitary landfill without a prior permission. (Section 409)
- f. Garbage and rubbish should be compacted in layers not exceeding a depth of 2 feet of compacted material. (Section 413)

2. Prohibited Activities

- a. Burning of garbage or rubbish containing garbage at a sanitary landfill is prohibited. (Section 405)
- b. Forbidden to make uncooked garbage available for animal consumption at any disposal site. (Section 407)
- c. Infestation of rodents and insects at a disposal site is prohibited. (Section 408)

V. ENFORCEMENT

1. Requirements for Permits

- a. Any person who wants to engage in the public disposal of garbage or rubbish should possess an unrevoked permit from the Health Office.
- b. The permit is for one year and renewable annually.
- c. No permit shall be valid until it has been countersigned by the Treasurer of Wells County upon payment of $50.00 fee.

2. Inspection (Article 3)

- a. The health officer should inspect each disposal site at least once each month.
- b. In case of violation, he shall make a second inspection. Any

violation of the same item on such second inspection shall call for suspension or revocation of permit.

c. One copy of the health officer's inspection report should be delivered to the license by the health officer. The operator of the public disposal site should permit access to all records and all parts of the grounds by said health officer.

3. Administrative Proceedings (Section 201)

A permit may be temporarily suspended by the health officer upon violation of this ordinance, or revoked after an opportunity for a hearing by the health officer upon serious or repeated violations.

4. Liability for Violators (Section 502)

The County Prosecuting Attorney shall cause proceedings to be commenced against the person violating the provisions of this ordinance and to prosecute to final termination.

5. Penalties (Section 601)

a. Any violator is guilty of a misdemeanor and subject to a fine of not more than $500 for the first offense, $1,000 for the second offense, and $1,000 for the third and each subsequent offense.

b. Imprisonment not exceeding 90 days may be added to a fine.

JEFFERSON PARISH, LOUISIANA

I. NAME OF ORDINANCE

Jefferson Parish Code, Chapter 8, Garbage, Trash and Weeds, February 18, 1960.

II. GENERAL STATEMENT

1. Declaration of Policy

2. Definitions

   a. Garbage - includes putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

   b. Refuse - includes all putresible and non-putrescible solid wastes (except body wastes), including garbage, rubbish and/or trash.

   c. Rubbish and/or trash - includes non-putrescible solid wastes (excluding ashes), consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

   d. Commercial refuse - includes garbage and trash produced in operation of retail and wholesale stores, manufacturing, refining plants, or any other commercial businesses. (Sec. 8-42)

III. ADMINISTRATION

1. Responsible Agency

   Garbage Department

2. Functions and Powers

   To direct, control and supervise the functions of garbage and trash collection and disposal in any and all matters relating to these functions and, further, to coordinate all activities pertaining thereto. (Sec. 8-62)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Collection

(1) All refuse must be collected, conveyed and disposed of by the parish. However, no objection is made against private collection operations with permits. (Sec. 8-43)

(2) All garbage, rubbish, cans and bottles must be drained of liquids before being deposited for collection. (Sec. 8-45:C)

(3) Garbage, rubbish and/or trash must be collected at intervals as follows:

Garbage District No. 1 - not less than twice weekly.
Garbage Districts Nos. 2,3,4 and 5 - not less than three times weekly.

(4) Not more than 60 gallons of garbage and/or trash or 3 standard bundles of tree branches and shrubbery shall be removed from any one place at one collection. (Sec. 8-48:B)

b. The fees for collection and disposal of refuse are as follows:

Garbage District No. 1 - $.45 per month per dwelling unit
Garbage District Nos. 2,3,4, and 5 - $.50 per month

c. The charges for disposal at one parish incinerators by commercial contract haulers or actual producers are as follows: $200 per ton or fraction thereof; $5.00 per load for compaction vehicles of 13 to 20 ton capacity, $7.50 per load for compaction vehicles of over 20 ton capacity.

d. Contractor's refuse is not acceptable for municipal collection. (Sec. 8-10)

e. Storage

(1) Owner and occupants of all premises must provide sufficient containers for storage. (Sec. 8-2)

(2) Containers for garbage must be of galvanized steel or other approved material with handles and tight-fitting covers. They must be not less than 10 gallons or more than 30 gallons in capacity. The combined weight of the garbage and containers must not exceed 75 pounds. (Sec. 8-3)

(3) Containers for trash must be of wood or metal or sturdy construction and need not be supplied with covers. (Sec. 8-13)

(4) Explosives of any kind should not be placed in garbage cans or trash containers. (Sec. 8-10)
The producers of flammable materials must place them in metal containers with tight covers. (Sec. 8-13)

(5) Containers must be placed by the owners at the curb before 4.00 a.m. on the collection day and removed from the curb after collection. (Sec. 8-47)

2. Prohibited Activities

a. It shall be unlawful to operate any vehicle in such a manner as to cause the spillage upon streets, sidewalks or public ways. (Sec. 8-11)

b. It shall be unlawful to deposit garbage, trash, sweeping, etc., on sidewalks, public or private way. (Sec. 8-14)

c. It shall be unlawful to place out for collection garbage or trash not properly separated or stored in containers. (Sec. 8-15:A)

d. It shall be unlawful to dump any garbage or trash on lots or any open area other than the designated dumps. (Sec. 8-15:D)

e. It shall be unlawful to throw garbage, trash, sweepings, etc., in the Mississippi River. (Sec. 8-23)

f. It shall be unlawful to store refuse on public places and to accumulate refuse on any premises without authorization.

V. ENFORCEMENT

1. Requirements for Permits

All vehicles transporting commercial or household refuse must be provided with permits from the director of sanitation. (Sec. 8-12)

2. Liability for Violators

If the owner of the property fails to pay the amount due under local or special assessment ordinance within thirty days from the date of publication of such ordinance, the Parish Council may authorize an action either in rem against the property or in personam against the owner, or both, for the collection of the total amount due. (Sec. 8-88)

3. Penalties

a. Any person throwing garbage and trash in the Mississippi River is subject to a fine of not less than $25. nor more than $100, or imprisonment of not more than 30 days, or both. (Sec. 8-23)

b. Anyone who disposes of garbage, trash or refuse into the ditches and canals is guilty of a misdemeanor punishable by a fine of $100 or 30 days in jail, or both. (Sec. 8-24)

c. Any person permitting the growth of grass or weeds on property or public place is guilty of a misdemeanor and subject to a fine not exceeding $100 or imprisonment not exceeding 30 days, or both. (Sec. 8-90)

ANNE ARUNDEL COUNTY, MARYLAND

I. NAME OF ORDINANCE

An Ordinance on Sanitary Landfill, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

   The intent and purpose of this Ordinance is to protect the public health and safety of the citizens of the County by setting down minimum standards for the disposal of solid wastes. (Sec. 11-400)

2. Definitions

   a. Refuse - includes ashes, garbage, rubbish, junk, industrial waste, dead animals and all other solid waste materials, including salvable waste.

   b. Garbage - includes all organic waste, consisting of the residue of animal fruit, or vegetable matter, resulting from the preparation, cooking, handling or storage of food exclusive of human or animal feces.

   c. Rubbish includes all refuse other than garbage.

   d. Refuse disposal includes any method of final disposition of refuse.

   e. Sanitary landfill includes any planned and systematic method of refuse disposal whereby the waste material is placed in the earth in layers, then compacted and covered with earth or other approved cover material at the end of each day's operation.

   f. Hazardous and special waste - includes hazardous solid and liquid waste such as highly flammable or caustic materials, explosives, pathological waste, sewage sludge or effluent, poisons, infectious waste from doctors' offices such as syringes, patients specimens, discarded dressings, etc., and radioactive materials. (Sec. 11-401)

III. ADMINISTRATION

1. Responsibility Agency

   County Health Officer

2. Functions and Powers

   a. To issue licenses to engage in solid waste disposal. (Sec. 11-408:A)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Burial of refuse on owner's property must be limited to agricultural areas. (Sec. 11-404:B)

b. No refuse shall be deposited less than 500 feet from any public roadway or building. (Sec. 11-405)

2. Prohibited Activities

a. It shall be unlawful to scavenge on the landfill site. (Sec. 11-409:B)

b. It shall be unlawful to burn refuse on sanitary landfills. (Sec. 11-410:A)

c. It shall be unlawful for any person to dump any solid wastes upon any vacant lot or any highway or for any person to store any solid wastes except as provided by law. (Sec. 6-301)

3. Approved Operation of Solid Waste Facilities

a. The use of the landfill sites must be in accord with the County's zoning regulations. (Sec. 11-406:A)

b. The site should not be closer then 1,000 feet to residential, institutional or industrial buildings. Operation of the site should not hinder the natural drainage pattern of the general vicinity of the sites. (Sec. 11-406:B)

c. The design of the proposed sanitary landfill accompanying applications for a license must include one or more topographic maps and development plans. (Sec. 11-407)

d. Access to the site must be limited, and the gates will open only when an attendant or operator is on duty. Gates will be locked at all other times. (Sec. 11-409)

e. No refuse shall remain uncovered for more than 6 hours from the time of deposit. (Sec. 11-409:E)

f. Water pollution must be prevented. (Sec. 11-409:G)

g. Vermin and rodent life must be eliminated by carrying out routine landfill operations promptly in a systematic manner. (Sec. 11-409:H)

h. The licensee must have suitable measures to control dust. (Sec. 11-409:I)

V. ENFORCEMENT

1. Requirements for Licenses

a. Applications for licenses to operate sanitary landfill must be accompanied by: (1) engineering report of proposed site survey; (2) design and development plans and specifications; and (3) license fee of $25.00. (Sec. 11-408:A)

b. All licenses shall expire one year after date of issuance. (Sec. 11-408:C)

2. Inspection Procedures

a. The County Health Officer or his agents shall make such inspections of refuse disposal facilities as may be necessary or proper. (Sec. 11-402:A)

b. Upon completion of a sanitary fill lift, the entire surface of the intermediate cover must be inspected monthly and all cracked, eroded or uneven covers must be repaired. (Sec. 11-409:I)

c. An inspection of the entire site must be made before the earthmoving equipment is removed from the site. (Sec. 11-411:A)

3. Liability for Violators

In case of violation, the County Health Officer shall issue a written notice. If, upon reinspection, the alleged violations still exist, he shall issue a final violation notice and may order such license suspended. (Sec. 11-402:B)

4. Administrative Proceedings

a. Any person aggrieved by any notice or order may, within 10 days of service, request an informal hearing which must take place within 10 days of such request. A written notice of the final determination must be served upon the license within 10 days of the informal conference. (Sec. 11-402:C)

b. Any person aggrieved by a decision of the County Health Officer may file a notice of appeal and a petition within 30 days from the date of said decision. (Sec. 11-403)

5. Penalties

a. Any person convicted of any violation is guilty of a misdemeanor and punished by a fine of $500, or by imprisonment for 90 days or both. Sec. 11-415)

b. Any person convicted of a violation of Sec. 6-301 is guilty of a misdemeanor and punished by a fine not less than $50.

nor more than $250. and upon the second conviction is punished by a fine of not less than $100. nor more than $500. and by imprisonment for a period not exceeding 30 days or both. (Sec. 6-301)

6. Performance Bonds

   a. Application for licenses must be accompanied by a completion maintenance bond, either cash or negotiable paper, in the amount of $500 per acre. (Sec. 11-408:A-3)

   b. The full amount of the bond will be returned 12 months from completion of the fill. (Sec. 11-411:A-B)

WASHINGTON COUNTY, MINNESOTA

I. NAME OF ORDINANCE

An ordinance establishing standards for and regulating the operation of refuse disposal facilities, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

The provisions of this ordinance must be construed to be the minimum requirements for the promotion of public health, safety and welfare. In case of conflict, the provision which established the higher standard for the promotion and protection of the health, safety and welfare of the people of Washington County shall prevail. (Sec. 6)

2. Definitions

a. Refuse - includes any solid, liquid or mixed waste substance not suitable for disposal by means of a water-carriage sewage disposal system.

b. Noncombustible waste - includes refuse which is incapable of burning or being incinerated; it includes, but is not limited to the following; natural earth; rock, sand and gravel; paving fragments; concrete; brick, earthenware, pottery and other clay products; plaster and other gypsum products; glass; asbestos products; metal and metal products, except automobile bodies. It excludes noxious wastes.

c. Combustible waste - includes refuse which is capable of burning or being incinerated in whole or part; it excludes noxious wastes, and includes, but not limited to paper and paper products, including tar paper and roofing materials; cloth and clothing; wood and wood products; brush, shrubbery, lawn clippings and sod; street sweepings; rubber and rubber products, including automotive tires which have been cut into quarters; plastic and plastic products; leather and leather products; drums, cans or other containers, which have substantially been emptied of their contents; garbage, including all animal and vegetable waste, except the waste products of slaughter houses, packing plants and fowl processing plants.

d. Noxious waste - includes refuse which requires special or unusual methods of disposal. It includes, but is not limited to: explosive materials; highly inflammable materials; radioactive materials; waste products of slaughter houses, packing plants and fowl processing plants; automotive tires, except those which have been cut into quarters: and automobile bodies.

e. Refuse disposal facility - includes any site or operation used for the disposal of refuse from two or more premises or from any commercial or industrial operation, including sanitary landfills, incinerators and dumps.

f. Sanitary landfill - includes refuse disposal facilities which use a method of disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing the principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with a layer of earth at the conclusion of each day's operation, or at such more frequent intervals as may be necessary.

  (1) Class 1 Landfill - includes sanitary landfills which accept for disposal only noncombustible waste.

  (2) Class 2 Landfill - includes sanitary landfills which accept for disposal noncombustible waste, combustible waste and liquid waste.

g. Incinerator - includes any refuse disposal facility which uses a furnace or similar device to reduce the volume of refuse by burning, as part of the disposal process.

h. Dump - includes any refuse disposal facility other than a sanitary landfill or incinerator, including any parcel of land where refuse is accepted for deposit or permitted to be deposited. (Sec. 1)

III. ADMINISTRATION

1. Responsible Agency

Board of County Commissioners

2. Functions and Powers

To issue permits to haul refuse and operate a sanitary landfill. (Sec. 2 - Sub. 2)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. No refuse shall be disposed of except at a sanitary landfill. (Sec. 2:1)

b. Sufficient equipment in good operating condition must be available at the landfill site. (Sec. 4-1.04)

c. At each entrance to the landfill, the permittee must erect and maintain a sign stating the name of the facility, the schedule of the hours of operation, and rates for the use of the facility. (Sec. 4-1.06)

d. During the posted hours of operation, the permittee must accept all refuse approved for that class landfill. (Sec. 4-1.07)

e. Operation of the landfill must at all times be in accordance with the approved comprehensive plan of operation. (Sec. 4-1.09)

f. Noncombustible waste may be deposited at any location within the approved location of a landfill. (Sec. 4-2.01)

g. Combustible waste must be compacted in layers not greater than 3 feet in thickness. (Sec. 4 -2.02)

h. Liquid waste must be immediately mixed with combustible waste and/or noncombustible waste. (Sec. 4-2.03)

i. Garbage, paper and other mixed loads must be covered immediately so as to prevent the emergence of flies or infestation by rodents. (Sec. 4-2.05)

j. An approved sanitary drinking water supply and adequate toilet facilities must be provided on the premises. (Sec. 4-3.03&4)

k. There must be adequate fire protection. (Sec. 4-4.01&2)

l. No materials of any kind must be deposited in any natural drainage channel or bed of any river. (Sec. 4-5.01)

m. Adequate facilities must be provided to divert flood or storm waters from areas around the site. (Sec. 4-5.03)

n. Refuse hauling vehicles must have leak-proof bodies of easily cleanable construction, and completely covered with metal or heavy canvas. (Sec. 2-3.03)

2. Prohibited Activities

a. It shall be unlawful to salvage any material deposited at the site. (Sec. 4-2.08)

b. It shall be unlawful to permit rodent infestation at any refuse disposal facility.

c. It shall be unlawful to permit burning of any kind in connection with disposal operations. (Sec. 4-4.03)

V. ENFORCEMENT

1. Requirements for Permits

a. No person shall operate a sanitary landfill without a current, valid permit issued by the County Board. (Sec. 2:1)

b. The County Board may issue a permit for the operation of a landfill upon submission of a comprehensive plan of operation and payment of a permit fee of $100. (Sec. 2-2.06)

c. The Board may issue a permit for the hauling of refuse upon submission of specifications of all of the vehicles to be used for refuse hauling and upon payment of a permit fee of $10. per vehicle. (Sec. 2-3.05)

d. Permits shall expire one year from the date of issue. (Sec. 2:4)

2. Inspection

The permittee is required to allow free access for inspection of the facility at all reasonable times to the County Board or other governmental official. (Sec. 4:7)

3. Liability for Violators

A permit may be revoked by the County Board for failure of the permittee to comply with any provisions of this ordinance. (Sec. 2:4)

4. Adminstrative Proceedings

Before a revocation of permit shall become effective, the permitee is entitled to a hearing before the County Board, not less than 5 days after notice of such hearing. (Sec. 2:4)

5. Penalties

Any person violating any provision of this ordinance is guilty of a misdemeanor and upon conviction is punished by a fine of not to exceed $100 or imprisonment for not to exceed 90 days. (Sec. 8)

6. Performance Bonds

The applicant for a landfill permit must file a performance bond in the penal sum of $10,000. / Sec. 2-2.03/. The applicant for a hauling permit must file a performance bond of $3,000.00. (Sec. 2-3.02)

ST. LOUIS COUNTY, MISSOURI

I. NAME OF ORDINANCE

An Ordinance to Regulate and Control the Disposal and Dumping of Garbage, Refuse and other Trash, Ordinance No. 308, 1953, as amended.

II. GENERAL STATEMENT

1. Declaration of Policy

The purpose of this Ordinance is to regulate and control the dumping and disposal of garbage and refuse, to the end that the public health, safety and welfare will be protected and enhanced and to prevent and prohibit the indiscriminate and uncontrolled use of property for dumping purposes; to prevent and prohibit open dumping and to require that disposal and dumping of garbage and refuse be authorized and permitted only in county licensed and approved county dumps and sanitary landfills. (Sec. 28.01)

2. Definitions

a. Private dump - includes all land or parcels of land on which non-putrescible refuse is accepted for deposit or permitted to be deposited regardless of whether a charge is made therefor.

b. Garbage includes - all animal and vegetable waste and all putrescible matter.

c. Refuse - includes all waste substances including garbage as well as noncombustible wastes.

d. Combustible waste - includes all waste substances capable of incineration or burning, but excluding explosive or highly inflammable material.

e. Noncombustible waste - includes all other waste substance not capable of incineration or burning, including ashes, glass, metal, earthenware and the like.

f. Sanitary landfill - includes types of operations in which refuse is deposited by plan on a specified portion of open land, is compacted by force applied by mechanical equipment, and then is covered by a layer of earth, ashes or suitable covering material to a depth of at least 2 feet. (Sec. 28.03)

III. ADMINISTRATION

1. Responsible Agency

Health Commissioner

2. Functions and Powers

a. To issue a license to operate a private dump or sanitary landfill. (Sec. 28.04)

b. To enforce the provisions of this ordinance. (Sec. 28.09)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. All garbage and other refuse shall be thoroughly compacted by equipment of sufficient weight and capacity.

   b. Mixed refuse shall be spread out on the working face of the landfill so that the depth does not exceed a maximum depth of 2 feet.

   c. The area should be continually policed to prevent fire and blowing of papers; shall be neat and sanitary at all times; and shall be covered at the end of each day's operation.

   d. The active faces of the landfills should be covered with at least 6 inches of covered material. A minimum depth of 12 inches of cover material shall be kept on all inactive faces of the fill.

   e. Where the ''trench system'' of landfill is used, successive parallel trenches must be at least 2 feet apart.

   f. Blowing of paper and other materials shall be controlled from the landfill.

   g. All salvaged material must be handled and stored in such a manner as to prevent rat harborage and permit proper operation of the landfill.

   h. Adequate fire fighting equipment shall be available at all times.

   i. There shall be no seepage or drainage of any material from the fill.

   j. There shall be an all-weather access road.

   k. An auxiliary fill site shall be available.

   l. Insects and rodents on the landfill site shall be controlled.

   m. The Enforcement Officer may grant exceptions or impose additional requirements. (Sec. 28.07)

2. Prohibited Activities

   a. It shall be unlawful for any person to permit the disposing of any refuse in any quarry unless it is operated as a licensed dump or sanitary landfill. (Sec. 28.05)

   b. It shall be unlawful to dump garbage and combustible material on private dumps. (Sec. 28.06)

   c. It shall be unlawful to burn any materials in a dump or landfill. (Sec. 28.07)

V. ENFORCEMENT

1. Requirements for Licenses

a. It shall be unlawful to use any premises for the dumping of any waste materials without securing a license. (Sec. 28.04)

b. The permit shall be used upon the payment of an annual fee of $200. (Sec. 28.04)

2. Inspection Procedure

The Health Commissioner shall provide adequate and frequent inspections of the landfill sites and shall be authorized to call upon the Planning Commission for assistance in making inspections. (Sec. 28.09)

3. Liability for Violators

a. Unless violation of the provisions of this ordinance is corrected within 24 hours after notice to the permit holder, the County Council may suspend or revoke any permit. (Sec. 28.09)

b. If the permit holder refuses to correct the violation within 24 hours, the Enforcement Officer may enter upon the premises of the dump or landfill and do necessary work to correct any violation. The cost of correcting such conditions shall be assessed against the permit holder. (Sec. 28.09)

c. Any permit or license may be revoked or suspended for failure to pay the license fee or the cost of correcting hazardous conditions. (Sec. 28.10)

4. Administrative Proceedings

a. The Planning Commission and the Health Commissioner shall hold a joint public hearing on the question of whether the issuance of a permit to the applicant is required. (Sec. 28.04)

b. The County Council may suspend or revoke any permit, only after a public hearing to which the violator shall have been invited. (Sec. 28.09)

c. The notice of hearing shall be sent to the permit holder at least 10 days prior to the date of said hearing. (Sec. 28.10)

5. Penalties

Any person who violates any provisions of this Ordinance shall be fined not less than $25 nor more than $500. (Sec. 28.11)

6. Performance Bonds

Permits shall be issued upon delivery to St. Louis County of a cash or corporate bond in the amount of $1,000. (Sec. 28.04)

DOUGLAS COUNTY, NEBRASKA

I. NAME OF ORDINANCE

Sanitary Landfill Regulation, 1966.

II. GENERAL STATEMENT

1. Declaration of Policy

   The purpose of this ordinance is the elimination of open dumps and the prevention of health, sanitation and esthetic nuisances in the future.

2. Definitions

   a. Sanitary landfill - includes types of operation in which garbage and refuse or garbage or refuse is deposited by plan on a specified portion of land, is compacted by force applied by mechanical equipment, and then is covered by compacted suitable covering material to a depth of at least six to twelve inches over individual cells of garbage and refuse or garbage or refuse, which are closed at the end of each day, and to a depth of at least twenty-four inches over the finished landfill.

   b. Garbage - includes all animal and vegetable waste and all other putrescible matter.

   c. Refuse - includes all waste substances including garbage as well as combustible and noncombustible wastes.

III. ADMINISTRATION

1. Responsible Agency

   County Health Department

2. Functions and Powers

   To issue permits for the disposal of garbage and refuse.

IV. SCOPE OF LEGISLATION

1. Standard and Regulations

   a. All garbage and other refuse must be thoroughly compacted by equipment capable of producing a downward or ground pressure of at least five pounds per square inch.

   b. The depth of mixed refuse material must not exceed a maximum depth of 2 feet prior to its compaction.

c. The area of the landfill must be continually policed to prevent fire and smoke and the blowing of papers, and must be covered at the end of each days' operation.

d. A minimim depth of 12 inches of compacted cover material must be kept on all inactive faces of the landfill. The active faces of the landfill must be covered with at least 6 inches of cover material.

e. Adequate measures should be taken to prevent erosion.

f. Temporary or permanent fences should be erected to reasonably control blowing of paper and other materials from the landfill.

g. Access to the landfill site must be controlled.

h. There should be provided an all-weather access road.

i. Surface drainage facilities should be provided on the landfill site which will permit the drainage of storm water.

j. The permittee must take such measures as are necessary to control dust.

2. Prohibited Activities

   a. It shall be unlawful to dump garbage and refuse.

   b. It shall be unlawful to salvage or scavenge materials from the landfill.

   c. It shall be unlawful to burn garbage and refuse on the landfill site.

V. ENFORCEMENT

1. Requirements for Permits

   a. It shall be unlawful to use any land for the disposal of any garbage and refuse without securing a permit issued by the Board of Adjustment.

   b. The application for a permit to operate a sanitary landfill must be filed with the County Permits and Inspection.

   c. The permit is granted by the Board of Adjustment only after the payment to the Health Department of an annual inspection fee of $...

2. Inspection Procedures

   a. The Health Director shall provide adequate and frequent inspections of the sanitary landfill sites.

b. It is the duty of the operator of a landfill to give the Health Director free access to the landfill site for the purpose of making inspections.

3. Liability for Violators

   a. Unless violation is corrected within a reasonable time after notice is received, the Health Director shall notify the Board of Adjustment. In the event the permit holder refuses to correct the violations within 24 hours after notice, the Board may direct County Surveyor to do such work as is necessary to correct the violation.

   b. The Board may revoke the permit for the violation of any provisions of this ordinance.

4. Administrative Proceedings

   a. The permit holder should be given an opportunity for a hearing before the permit is revoked for the violation of any provisions.

   b. Whenever any permit has been revoked, the holder may file a written application for reinstatement with the Health Director. The Board of Adjustment may reinstate the permit after a reinstatement fee of $25,000 is paid to the County Health Department.

5. Penalties

   Any person who violates any of the provisions of this regulation shall, upon conviction, be fined in any sum not to exceed $250,000 or be sentenced to be imprisoned not to exceed 30 days in jail.

6. Performance Bonds

   a. The permit shall be granted only after delivery of a cash or performance bond in the amount of $———.

   b. Bond shall run for two years after the landfill site has been finished and brought to final grade.

UMATILLA COUNTY, OREGON

I. NAME OF ORDINANCE

Rules and Regulations for the Operation of Garbage and Refuse Disposal Sites and Issuing Permits or Prohibiting Permits and Methods, 1966

II. GENERAL STATEMENT

1. Definitions

a. Ash - includes residue from the burning of any combustible material or the residue from incomplete combustion.

b. Cell - includes any part of a sanitary landfill or a landfill consisting of compacted refuse which is covered with earth on its exposed surfaces during a designated period.

c. Garbage - includes putrescible animal and vegetable wastes resulting from handling, preparation, cooking and consumption of food.

d. Incineration - includes all combustion processes for disposing of combustible wastes by burning to ash.

e. Landfill - includes disposal of refuse by compaction and covering at specific designated intervals but not necessarily daily.

f. Refuse - includes all solid wastes, including garbage, rubbish and ashes.

g. Rubbish - includes non-putrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes such as paper, cardboard, yard clippings, wood, glass, cans, bedding and similar materials.

h. Salvage - includes all processes of retrieving reclaimable materials such as paper, metal, bottles, rags, and/or other objects for the purpose of sale or other use.

i. Sanitary landfill - includes methods of disposal of refuse by an approved method of compaction and cover at the end of each day's operation with earth or other suitable materials to prevent public health and safety hazards and nuisances.

III. ADMINISTRATION

1. Responsible Agency

County Health Officer

2. Functions and Powers

a. To issue permits to operate any garbage or refuse disposal site.

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Refuse must be disposed of either in a sanitary landfill or in an incinerator approved by the State Authority, or other accepted methods. (Sec. 4.20)

b. Liquid wastes must be disposed of either in a sanitary landfill, or by an approved method.

c. Sites for landfills must be located at least one-fourth mile from any existing dwelling, house or public highway.

d. No domestic water resources would be polluted at the sites. All sites must be provided with an all-weather access road and be maintained so that no nuisance is created. (Sec. 5.30)

e. The owner and operator or his representative must be at the site at all operating times. (Sec. 6.30)

f. Materials which may cause a public health problem shall not be placed on the disposal site except under conditions specified by the Health Officer. (Sec. 6.40)

g. Adequate measures to prevent or control fire must be undertaken. (Sec. 6.70)

h. Salvage must be rigidly controlled on site. (Sec. 6.80)

i. The cell of refuse at sanitary landfills must be covered with at least six inches of earth. (Sec. 7.10)

j. The final earth cover must be maintained at a depth of twenty-four inches after compaction.

k. The County Court may authorize a variance, not causing a nuisance, from the requirements of these rules and regulations in exceptional case.

2. Prohibited Activities

a. It shall be unlawful to dispose of refuse or liquid wastes in open dumps with or without burning. (Sec. 4.10)

b. It shall be unlawful for any person to be allowed to transport refuse to any point outside of the designated area, nor shall any refuse be transported outside of the area into the area without consent of both the operator and the County Court. (Sec. 6.90)

V. ENFORCEMENT

1. Requirements for Permits

a. Any person must procure a written permit from the County Court for operation of any disposal site. (Sec. 2.10)

b. Before granting a permit, the responsible agency must inspect the proposed site and ascertain whether the site meets the requirements and the proposed disposal site would cause a health hazard. (Sec. 2.20)

c. The permit is renewable on an annual calendar year basis. (Sec. 2.30)

2. Adminstrative Proceedings

a. Any person seeking to obtain a variance of this ordinance must file a written application for a public hearing. (Sec. 10.10)

b. Upon receiving the application, the Health Offices must forward the application to the County Court. (Sec. 10.20)

c. The County Court shall hold a public hearing to be held not less than 30 days after the date of filing. (Sec. 10.30)

d. Notice of a public hearing must be given by posting such notice in a conspicuous place and by mailing a copy of the notice at least 15 days before the hearing to each property owner. (Sec. 10.40)

3. Penalties

Violation of any provision of these Rules and Regulations is punishable in accordance with O.R.S. 433.990 (8) and/or O.R.S. 431.990. (Sec. 11.10)

MADERA COUNTY, CALIFORNIA

I. NAME OF ORDINANCE

''Refuse Disposal Ordinance'' of Madera County, Ordinance No. 275, October 1, 1963, as amended by Ordinances No. 275-A, No. 275-C, No. 275-D.

II. GENERAL STATEMENT

1. Declaration of Policy

The purpose of this ordinance is to institute an orderly program for the collection, transportation and disposal of refuse in order to promote the community welfare, convenience, health and safety, and to prohibit random refuse disposal and littering along public highways or roads and to establish county refuse disposal sites and to control refuse disposal operations. (Art. II)

2. Definitions

a. Disposal area - includes any site, public or private, location, tract of land, area, building structure or premises used or intended to be used for disposal of refuse or industrial wastes, except animal rendering plants, hog raising ranches, alcoholic distilleries utilizing wastes, processing plants utilizing raw materials, and salvage depots receiving waste paper products to be used as a raw material in manufacturing.

b. Refuse - includes any accumulations of animal, vegetable or mineral waste matter that attends or results from its preparation, processing, use, cooking, or storage including the same or parts thereof. (Art. III)

III. ADMINISTRATION

1. Responsible Agency

Health Department and County Engineer

2. Functions and Powers

a. To issue permits for collecting refuse and operating disposal sites. (Art. V, Sec. 1)

b. To control disposal sites. (Art. VIII, Sec. 1)

c. To file an action in the Superior Court for the County requesting an order to command the performance of the provision or punishment. (Art. XI)

. SCOPE OF LEGISLATION

1. Standards and Regulations

    a. All refuse disposal in designated disposal sites should be by means of the sanitary landfill or other acceptable methods. (Art. VIII, Sec. 2)

    b. Every owner should keep the premises in his control in a sanitary condition. (Art. IX, Sec. 1)

    c. All agricultural or industrial wastes should be disposed of in a sanitary condition. (Art. IX, Sec. 1)

    d. The County Engineer shall operate and maintain all county owned or operated disposal sites. (Art. X, Sec. 1)

    e. Any person permitting any refuse to be placed in a manner to become a health or safety hazard should remove it within 48 hours to an approved disposal site. (Art. IV, Sec. 5)

2. Prohibited Activities

    a. It shall be unlawful to collect any refuse or garbage or operate any private disposal site without a permit by the Health Department.

    b. It shall be unlawful to place, deposit, or dump on any public street or place any refuse or garbage, except in designated sites.

    c. It shall be unlawful for any person to deposit any hazardous material in any approved dump site without permission.

    (Art. IV, Sec. 4)

V. ENFORCEMENT

1. Requirements for Permits

    a. No person shall collect refuse or garbage and operate any private disposal site without a permit by the Health Department.

    b. The Health Department may deny, revoke or withold a permit in case of noncompliance with any ordinances of the County. (Art. V, Sec. 2)

    c. Any person engaged in hog feeding must obtain approval from the Bureau of Animal Health, Division of Animal Industry, State Department of Agriculture before a permit will be issued. (Art. VI)

2. Inspection

All persons operating a transportation service or a disposal site must permit inspection by the Health Department at all times. (Art. VII)

3. Liability for Violators

The County Engineer may, after notice, revoke any permit for any use which violates this and other ordinances. (Art. X, Sec. 9)

4. Penalties

   a. It is a misdemeanor, punishable by 6 months in jail, a $500.00 fine, or both, for any person to import across the Madera County line, and deposit in any county operated dump site, refuse originating outside the County of Madera. (Art. X, Sec. 4)

   b. Any person entering upon the Ripperdan dump site and any other site, damaging fences or removing refuse or material from said dump, is guilty of a misdemeanor, punishable by 6 months in jail, a $500.00 fine, or both. (Art. X, Sec. 6)

   c. Any person depositing refuse in dump site, without a permit, is guilty of a misdemeanor and punishable by 6 months in jail, a $500.00 fine,or both. (Art. X, Sec. 7)

   d. It is a misdemeanor for any county resident to permit the dumping of any refuse imported into the County. (Art. X, Sec. 8)

   e. Any person violating any of the provisions of this ordinance is guilty of a misdemeanor and punishable by a fine of not more than $500.00 or by imprisonment for a period not exceeding 6 months, or by both. (Art. XI)

NAPA COUNTY, CALIFORNIA

I. NAME OF ORDINANCE

An Ordinance for the Regulation of Garbage and Refuse Collection, Transportation and Disposal, Ordinance No. 213, October 20, 1960.

II. GENERAL STATEMENT

1. Declaration of Policy

   It is the purpose of this Ordinance to institute within the County of Napa an orderly program for the collection, transportation, and disposal of refuse in order to promote the community welfare, convenience, health and safety. (Art. II)

2. Definitions

   a. Disposal area - includes any site, location, tract of land, area, building, structure or premises used or intended to be used for garbage, rubbish, swill or refuse disposal, except an animal rendering plants, hog-raising ranches, alcohol distilleries utilizing waste raw material, and salvage depots receiving only waste paper and as a raw material in manufacturing.

   b. Garbage - includes refuse resulting from preparation, cooking and consumption of edible foodstuffs or resulting from the decay dealing in or storage of meat, fish, fowl, fruit or vegetables.

   c. Refuse - includes any solid or semi-solid waste product other than domestic sewage or other human body waste, including but not restricted to garbage, swill, trash, rubbish, construction waste industrial and domestic solid and semi-solid waste, tree or shrub trimmings and grass clippings.

   d. Rubbish - includes non-putrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, rubbish, tires, and similar materials.

   e. Swill - includes that garbage which is wholly, or nearly so edible and useable as food and having food value for animals or fowl, accumulating from animal, vegetable or other matter wasted from clubs, hospitals, hotels, restaurants, and public eating places. (Article III, Sec. 1)

III. ADMINISTRATION

1. Responsible Agency

   County Health Department

2. Functions and Powers

   a. To issue permits for collection and disposal of refuse. (Art. IV, Sec. 1 and Art. VI, Sec. 1)

   b. To establish rules and regulations covering the operation and maintenance of disposal areas, refuse collection service and other uses. (Art. VI, Sec. 11)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. All refuse shall be removed at least once a week. (Art. V, Sec. 1)

   b. Every one shall provide suitable and sufficient water tight cans or receptacles of galvanized metal or other material approved by the Health Department of equal fly, rodent, rust and fire resistant qualities, with suitable bails or handles and with tightly fitting covers. There shall be sufficient containers of not greater capacity than 35 gallons. All such containers shall be kept in a sanitary condition at all times. (Art. V, Sec. 2)

   c. All refuse disposal shall be by means of sanitary landfill and shall be operated in accordance with the following standards:

      (1) The garbage, rubbish, swill or refuse shall be covered with not less than 2 feet of compacted dirt fill. The working area shall be covered with 6 inches of earth at the end of the day's operation.

      (2) Rat and fly control measures shall be undertaken.

      (3) No burning shall be permitted.

      (4) Sufficient water supply shall be available for control of flies. (Art. VI, Sec. 4)

   d. Any person responsible for the feeding of swine on garbage or swill shall maintain the premise in a sanitary manner, and shall dispose of the uneaten residue within 24 hours. (Art. VI, Sec. 5)

   e. A means of covering and containing the refuse securely within the hauling body of every collection vehicle shall be provided. (Art. VI, Sec. 7)

f. All operators of refuse collection or disposal services shall maintain such operating records as the Health Department may require. (Art. VI, Sec. 10)

2. Prohibited Activities

a. It shall be unlawful for any person to allow any refuse to remain on vacant lot or premises. (Art. V, Sec. 3)

b. It shall be unlawful to conduct such activities as animal feeding, chicken raising or other commercial enterprise on the working area of any garbage, rubbish or refuse dump. (Art. VI, Sec. 4e)

c. It shall be unlawful to burn garbage except in areas designated by the Health Department. (Art. VI, Sec. 12)

V. ENFORCEMENT

1. Requirements for Permits

a. A permit is required to collect or transport any refuse. Such permit shall not be transferable. (Art. IV, Sec. 2)

b. The permit fee for the conduct of a refuse collection service shall be $25.00 for the first vehicle, $15.00 for the second vehicle, $10.00 for the third vehicle, and $5.00 for each additional vehicle per annum. (Art. IV, Sec. 3)

c. A permit is required to operate a refuse disposal area. (Art. VI, Sec. 1) A fee of $25.00 shall be paid at the time of filing application. (Art. VI, Sec. 2)

2. Inspection Procedure

An inspection fee of $150.00 is established for operation and inspection of the refuse disposal area. (Art. VI, Sec. 3)

3. Liability for Violators

The Health Department may revoke a permit if the vehicles, area or other facilities for operating the refuse collection service or disposal area are insufficient, or incapable of being maintained to comply with this or other ordinance. (Art. VI, Sec. 8)

4. Administrative Proceedings

Any dissatisfied person may appeal to the Board of Supervisors, who shall have the power to hear and determine such appeal. Said appeal shall be taken by filing a notice of appeal within ten days after the date of decision or ruling. No later than 30 days after receipt of said notice of appeal, the Board shall set the matter for public hearing. (Art. VI, Sec. 9)

5. Penalties

Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $25 nor more than $500, or by imprisonment for not more than 6 months, or by both. (Art. VII).

SACRAMENTO COUNTY, CALIFORNIA

I. NAME OF ORDINANCE

An Ordinance Relating to the Transportation, Collection and Disposal of Refuse in the Franchise and Non-franchise Areas of the Unincorporated Territory of the County of Sacramento, Ordinance No. 1002, August 19, 1968, as amended.

II. GENERAL STATEMENT

1. Declaration of Policy

This Ordinance is for the protection of public health, safety and welfare, and its provisions are to be liberally constructed to obtain the beneficial purposes thereof. (Sec. 34)

2. Definitions

a. Garbage - includes refuse resulting from the preparation, cooking and consumption of edible foodstuffs or resulting from decay, dealing in, or storage of meat, fish, fowl, fruit or vegetables, and solid or semi-solid putrescible waste from clubs, hospitals, hotels, resturants, homes and dwelling places, and from other eating places, and from vegetable handling and food processing establishments of packing sheds, including tin cans and bottles.

b. Rubbish - includes non-putrescible wastes, such as paper, cardboard, grass clippings, tree or shrub trimmings, wood, bedding, crockery, rubber tires, construction wastes and similar waste materials.

c. Refuse - includes both rubbish and garbage.

d. Sanitary fill method - includes processes of refuse disposal whereby the refuse is deposited in a depression or excavation in the ground and then covered with earth. (Sec. 3)

III. ADMINISTRATION

1. Responsible Agency

Health Department

2. Functions and Powers

a. To issue temporary interim permits for the collection of refuse. (Sec. 5.5)

b. To issue permits for collection and disposal. (Sec. 9 and 18)

c. To suspend or revoke any permit. (Sec. 25)

d. To make all necessary and reasonable rules and regulations. (Sec. 26)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. The bodies of collection trucks should have beds of metal or of impervious material which can be cleaned. (Sec. 11)

b. Every occupant and owner must provide suitable and sufficient water tight cans, each capable of holding 30 gallons of refuse. Such cans must be equipped with suitable bales or handles and have tightly fitted covers and must not permit the escape of odors. (Sec. 15)

c. All refuse except commercial refuse must be removed from the premises at least once each week. The Health Department may require a greater or lesser number of collections consistent with proper sanitary requirements. (Sec. 16)

d. No person shall allow any accumulation of rubbish to remain for longer than two weeks if such rubbish is within 400 feet of any building, nor for more than 4 weeks if beyond said distance. (Sec. 17)

e. Refuse disposal must be by the fill and cover method or by any approved sanitary or mechanical method. Refuse disposal by burning should not be permitted unless it is not detrimental to public health. Disposal areas should be completely surrounded by a fence or wall. Said fence or wall should extend above the ground at least 6 feet. (Sec. 22)

f. A licensed contractor or builder may burn combustible waste material resulting from construction or building at the site of of such construction or building. All such burning should be subject to fire regulations and air pollution control regulations. (Sec. 32.5)

2. Prohibited Activities

a. It shall be unlawful to collect refuse without a valid permit. (Sec. 9.5a)

b. It shall be unlawful to operate a refuse disposal area in the unincorporated area of the County of Sacramento north of the American River without a permit, and to dump any refuse upon any property or highway. (Sec. 18)

7. ENFORCEMENT

1. Requirement for Permits

a. The Health Department may issue temporary interim permits for the collection of refuse. (Sec. 5.5)

b. No collection permit shall be issued or renewed unless the Sheriff has approved the application. (Sec. 5.6)

c. The application for a permit to collect refuse in a non-franchise area shall be made in writing to the Health Department. (Sec. 6)

d. The fee for any refuse collection permit is $100 per truck per calendar year or portion thereof. (Sec. 8)

e. A person collecting dead animals, bones, meat scraps, or food waste, or hauling other waste material must obtain a permit. (Sec. 13)

f. Any person who operates a refuse disposal area must obtain a permit from the Health Department. The fee for such permit is $50.00 for the two year period. Before issuance of any permit, the County Planning Department determines whether or not proposed site is in a proper zone. (Sec. 19)

2. Inspection

All trucks used for the transportation of refuse must be inspected by the Health Department. (Sec. 20)

3. Liability for Violators

The Health Department may suspend or revoke any permit in case of non-compliance with the provisions of this ordinance. (Sec. 25)

4. Administrative Proceedings

Any person who is dissatisfied with any decision or ruling of the Health Department may appeal to the Board of Supervisors, which board shall hear the matter de novo. The majority decision of the full membership of such Board is required to reverse the action of the Department. Said appeal must be taken by filing a Notice of Appeal within 10 days of said decision. The hearing on said appeal must be only after notice of the time thereof mailed to appellant and respondent at least 7 days before said hearings. (Sec 25)

5. Penalties

Any violator is guilty of a misdemeanor and upon conviction is punishable by a fine of not exceeding $500.00, or by imprisonment not exceeding 6 months, or by both. (Sec. 35)

6. Performance Bonds

Before issuance of any permit, the Health Department shall require the applicant to post a cash bond in the sum of $1,000.00 or a surety bond in the same amount. If applicant has less than 1,000 but more than 500 customers, he must post a bond of $500.00. If said applicant has 500 customers or less, he must post a bond of $250.00. (Sec. 9)

SAN BERNARDINO COUNTY, CALIFORNIA

I. NAME OF ORDINANCE

Ordinance No. 1335, February 6, 1967, as amended by Ordinance No. 1524.

II. GENERAL STATEMENT

1. Declaration of Policy

This Ordinance is an urgency measure necessary for the immediate protection and preservation of the public health, safety, and welfare. (Sec. 3)

2. Definitions

a. Garbage - includes, but is not restricted to, every accumulation of animal, vegetable or other material (1) resulting from the preparation and consumption of edible foodstuffs, or (2) resulting from decay, dealing in or storage of meats, fish, fowl, fruits or vegetables including the cans, containers or wrappers wasted along with such materials or (3) such industrial domestic and organic solid wastes or residue animals sold for for meat or (4) fruit, vegetable and animal matter from kitchens, dining rooms, markets, food establishments or any other place using, dealing in or handling meats, fish, fowl, fruits, vegetables or grains or (5) offal, animal excreta or the carcasses of animals, fish or fowl.

b. Rubbish - includes but is not restricted to all non-putrescible waste or debris such as paper, cardboard, grass, tree or shrub trimmings, rugs, straw, clothing, wood or wood products, crockery, glass, rubber, metal, plastic, construction waste and debris and other similar metals.

c. Refuse - includes both garbage and rubbish as defined above.

d. Truck - includes any truck, trailer, semi-trailer, conveyance or vehicle used or intended to be used for the purpose of collecting refuse to haul or transport refuse upon public highways or thoroughfares.

e. Rubbish disposal - includes the collecting, transporting and disposal of garbage and/or rubbish in the unincorporated territories of the county.

f. Refuse disposal site - includes any site location or tract of land, area, building, structure or premises designated as Rubbish Disposal Sites by the Board of Supervisors and any County owned or County operated disposal area or dump where garbage and/or rubbish is placed for disposal. (Sec. 1830)

III. ADMINISTRATION

1. Responsible Agency

   Public Health Department

2. Functions and Powers

   a. To issue permits to operate a refuse collection service. (Sec. 1831)

   b. To make all necessary and reasonable rules and regulations. (Sec. 1847)

3. Appointment of an Advisory Board

   a. There is authorized an Advisory Council which shall consist of 7 persons appointed by the Board of Supervisors from the following: One member from the County Administrative Services, the Public Health Department, the County Refuse Disposal Engineer, the Office of the County Counsel; and three members engaged in the Refuse Disposal Business in the County.

   b. The Advisory Council shall meet at least semi-annually to review the Refuse Disposal Program with the Public Health Department.

   c. The Council shall make recommendations to the Public Health Department and the Board of Supervisors as deemed necessary. (Sec. 1854)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Everyone shall provide suitable and sufficient water tight cans, each capable of holding a maximum of 36 gallons. Such containers shall be equipped with suitable bails or handles and shall have tightly fitted covers, and shall not leak nor permit the escape of odors. They shall be readily accessible to the refuse collector or permit holder. (Sec. 1833)

   b. All refuse shall be collected at least once each week. All garbage shall be collected at least twice each week. (Sec. 1834)

   c. For the purpose of this ordinance, the County shall be divided into permit areas. (Sec. 1836)

   d. All bodies of collection vehicles shall be constructed of metal and shall be leak-proof. The vehicles shall be maintained at all times in a clean, sanitary condition. (Sec. 1847)

e. Garbage trucks shall be equipped with watertight metal tanks. All persons collecting garbage shall clean and disinfect all equipment at least once daily. (Sec. 1847)

f. All operators of refuse collection shall keep and maintain operating records and shall submit periodic reports. (Sec. 1847)

g. The permit holder shall not collect garbage or rubbish between the hours of 10:00 p.m. and 6:00 a.m. (Sec. 1847)

h. Refuse from outside of the county shall not be accepted at a County Refuse Disposal Site. (Sec. 1850)

2. Prohibited Activities

a. It shall be unlawful for any person to leave trucks loaded with refuse parked for over a 24-hour period. (Sec. 1847)

b. It shall be unlawful for the permittee to transport any refuse from outside the County to disposal areas within the county. (Sec. 1847)

c. It shall be unlawful for any person other than an authorized refuse disposal site operator to be on a refuse disposal site area during the hours of closure. (Sec. 1849)

d. It shall be unlawful to scavenge or salvage without the permission from the Refuse Disposal Engineer. (Sec. 1850)

e. It shall be unlawful for any person to dump any refuse at a place other than the designated area. (Sec. 1852)

V. ENFORCEMENT

1. Requirements for Permits

a. It is unlawful for any person, other than the permit holder, to operate a refuse collection service, or refuse disposal area within any permit area. (Sec. 1837)

b. Permits shall be renewed annually. (Sec. 1842)

2. Inspection Procedure

All of permittees equipment shall be inspected at the discretion of the Division of Environmental Sanitation of the Public Health Department, at the point of operation. (Sec. 1847)

3. Liability for Violators

If the operator or manager has not complied with the provisions of this ordinance, the Health Officer, after a hearing, shall be empowered to revoke the permit. (Sec. 1840)

4. Administrative Proceedings

Any dissatisfied person may appeal to the Board of Supervisors, who has the power to grant or deny such appeal. Said appeal shall be taken by filing with the Clerk of the Board a Notice of Appeal within 10 days after the date of a decision or ruling. (Sec. 1847)

5. Penalties

Every person violating the provisions of this Division is guilty of a misdemeanor, and shall be punished by a fine not to exceed $1,000 or 6 months or by both. (Sec. 1855)

6. Performance Bonds

Before issuing any permit, the Board shall require the applicant to post a cash bond in the sum of $2,500 or a surety bond in the same amount. (Sec. 1839)

SAN DIEGO COUNTY, CALIFORNIA

I. NAME OF ORDINANCE

An Ordinance Repealing and Reenacting Chapter 5 of Division 8 of Title 6 of the San Diego County Code to Regulate Collection and Transportation of Garbage and Rubbish, 1969.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes all livestock or animal offal, swill, all fruit or vegetable waste made originally in the preparation of food or any manufactured product thereof whether produced in packing houses, markets, kitchens, dwellings, restaurants, or institutions, private or public, where garbage is produced, and all waste or cleanings from chickens or other fowl, rabbits, livestock, or other animals, or fish or other seafood, that shall have been prepared for or intended to be used as food.

b. Rubbish - includes trash, refuse, paper, glass, cans, bottles, rags, ashes, trimmings from lawns, shrubbery and trees, leaves and other solid wastes other than garbage, auto parts, dirt, rocks and/or materials from the demolition, alteration or construction of buildings, but does not include clean fill dirt.

c. Refuse - includes, but is not restricted to, putrescible or non-putrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, cardboard, garbage, rubbish, grass clippings, tree or shrub trimmings, wood, bedding, crockery, rubber tires, construction waste, and similar waste materials, except sewage. (Sec. 68.501)

III. ADMINISTRATION

1. Responsible Agency

Director of Public Works

2. Functions and Powers

a. To supervise all county refuse disposal areas. (Sec. 68.511)

b. To promulgate rules and regulations regulating the operation of county refuse disposal areas (Sec. 68.511) and transportation and collection of rubbish and garbage. (Sec. 68.532)

c. To issue permits for the collection and transportation of garbage and rubbish. (Sec. 68.520)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Refuse must be contained and/or covered so as to prevent it from leaking or falling from the vehicle in which it is being transported. (Sec. 68.504)

b. Collectors of garbage or rubbish must provide service to all residents and all commercial and industrial establishments desiring such collection service. (Sec. 68.533a)

c. A collector's charges for all services must be non-discriminatory and uniform for equal services rendered. (Sec. 68.533b)

d. Residential pick-ups must be made only between the hours of 6 a.m. and 8 p.m. on an approved schedule. (Sec. 68.533d)

e. Garbage and rubbish may be placed in the same containers. (Sec. 68.537a)

f. Every permittee must provide not less than one regular weekly collection to all customers. (Sec. 68.533f)

g. All collection trucks must be in good mechanical condition, and must be closed, leakproof, self-unloading, and originally constructed for the purpose of garbage and/or rubbish collection. (Sec. 68.536c)

h. All containers must be in good condition, clean and leakproof, and must be constructed of moisture-proof metal, plastic, rubber, or waterproof fiber composition with tight-fitting covers. (Sec. 68.537b and c)

i. No filled container shall weigh more than 70 pounds, and no container shall have a capacity of less than 15 gallons or more than 40 gallons. (Sec. 68.537 d)

j. Brush and similar materials must be tied securely in bundles weighing not more than 50 pounds and not more than 4 feet long unless containerized. (Sec. 68.537e)

k. No container shall be placed out at the curb or alley prior to 4 p.m. on the day prior to scheduled collection, and all containers must be removed prior to noon on the day following collection day. (Sec. 68.537f)

2. Prohibited Activities

a. It shall be unlawful to dump any garbage or rubbish upon any highway or any property, or public grounds and water streams. (Sec. 68.502)

b. It shall be unlawful to dispose of garbage, industrial wastes, medical wastes, and hazardous materials at a county operated burning disposal area. Noncombustible solids shall not be mixed with combustible materials at such disposal sites. (Sec. 68.514)

V. ENFORCEMENT

1. Requirements for Permits

a. A permit is required to collect or transport garbage or rubbish. (Sec. 68.520)

b. The annual fee for a permit is as follows:

(1) Garbage or rubbish collector permit - $25 annually, plus $100 annually per truck;

(2) Garbage or rubbish transporter permit - $25 annually, plus $50 annually per truck.

c. Permits and truck tags or decals may be renewed annually. (Sec. 68.528)

d. No permit shall be transferred except upon prior approval of the Director of Public Works. (Sec. 68.529)

2. Inspection Procedure

All collection trucks and other equipment must be inspected as often as necessary. The Director of Public Works must provide for each truck a durable tag or decal which must be securely fastened by the permittee. (Sec. 68.535)

3. Liability for Violators

A permit may be suspended or revoked when the permittee violates any provision of this code or any other rule. The permittee must cease operations under his permit within 10 days after receipt of written notice of suspension or revocation unless reinstated (Sec. 68.534)

4. Administrative Proceedings

a. If the permit application is denied, the applicant has the right to a hearing before the Board of Supervisors. A request for a hearing must be in writing within 15 days after receipt of notice of denial. The Board of Supervisors must render its decision within 15 days after the close of the hearing. (Sec. 68.526)

b. Any person whose permit has been revoked or suspended has the right to demand a hearing before the Board of Supervisors within 10 days after receipt of such notice. The hearing must be held not later than 10 days following the receipt of the written request. (Sec. 68.534)

5. Performance Bonds and Insurance

   a. All garbage or rubbish collectors must post a cash bond or a surety bond of $5000. (Sec. 68.531)

   b. Every permittee must maintain public liability insurance in an amount not less than $100,000 for injury or death to any one person, and property damage insurance in an amount not less than $50,000. (Sec. 68.530)

SAN JOAQUIN COUNTY, CALIFORNIA

I. NAME OF ORDINANCE

An Ordinance providing for the Collection, Transportation and Disposal of Refuse, Ordinance No. 877, June 27, 1961, as amended.

II. GENERAL STATEMENT

1. Declaration of Policy

The purpose of this Ordinance is to institute an orderly program for the collection, transportation, and disposal of refuse, and waste matter of every and all kinds in order to promote the community welfare, convenience, health and safety. (Sec. 1)

2. Definitions

a. Animal feeding yard - includes premises or sites where the feeding to three or more animals, other than hogs, of swill, offal, food processing waste, vegetable and fruit packing waste, or garbage, not produced on such premises or site, is permitted or occurs.

b. Commercial garbage - includes garbage collected or saved, solely for purposes of commercial reduction for fats, tallow, or fertilizer, by canneries, packing houses or sheds, markets, hotels, butcher shops, hospitals, or similar institutions and and establishments where large quantities of salvage garbage are produced.

c. Disposal area - includes premises or sites where the disposal of waste, refuse, garbage, industrial waste, and commercial garbage not produced on the premises or site, except an animal feeding yard or hog farm as herein defined, is permitted or occurs.

d. Food processing waste - includes solid and semi-solid putrescible waste resulting from vegetable canning, vegetable freezing, fruit canning, fruit freezing, food canning, or resulting from a milk plant, brewery, winery, or other food processing or manufacturing operation, except vegetable and fruit packing waste.

e. Garbage - includes any putrescible animal, fish, fowl, fruit, or vegetable refuse, resulting from the preparation, storage, handling, or consumption of foods, except food procession waste, vegetable and fruit packing waste, swill and offal, and shall include containers or other non-putrescible material to which particles of putrescible material are attached.

f. Hog farm - includes premises or sites where the feeding to three or more hogs of garbage, swill, offal, fruit processing waste, or vegetable or fruit packing waste not produced on such premises or site, in compliance with State law, is permitted or occurs.

g. Industrial waste - includes all liquid, semi solid, or solid waste substance, except sewage, from any producing, manufacturing or processing business operation except food processing waste and vegetable and fruit packing waste.

h. Refuse - includes waste, garbage, industrial waste, vegetable and fruit packing waste, food processing waste, swill, offal, and animal and bird manure, but shall not include commercial garbage or non-putrescible waste materials resulting from the wrecking, destruction, construction or alteration of buildings.

i. Swill - includes waste material which is wholly or nearly so, edible and useable as food and having food value for animals or fowl, accumulating from animal, vegetable or other matter wasted from clubs, hospitals, hotels, restaurants, and public eating places.

j. Vegetable and fruit packing waste - includes solid and semi-solid putrescible waste resulting from vegetable and fruit processing establishments (excluding retail stores) which do not process fruit and vegetables by cooking, placing in sealed containers, freezing, fermenting, crushing, drying, dehydrating, pasteurizing, or other similar procedures.

k. Waste - includes useless, unused, unwanted or discarded material and debris resulting from normal community activities, or materials which by their presence may injuriously affect the health, safety, and comfort of persons and depreciate property values in the vicinity thereof, and all putrescible and non-putrescible solid or liquid wastes, except sewage, whether combustible or noncombustible, not otherwise defined in the various definitions contained in this Article. (Article II)

II. ADMINISTRATION

1. Responsible Agency

Health District

2. Functions and Powers

a. To issue collector's permits and disposal area permits. (Secs. 41 and 140)

b. To recommend the revocation of permits. (Sec. 180)

c. To adopt necessary and reasonable rules and regulations. (Sec. 181)

d. To enforce all of the provisions of this ordinance relative to disposal areas. (Sec. 182)

IV. Scope of Legislation

1. Standards and Regulations

a. Everyone shall procure a metallic or plastic container with close fitting covers. All uch containers shall be kept in a sanitary condition, and shall be located in a readily accessible place for collection. (Sec. 102)

b. A refuse collector shall provide refuse pick-up service to all persons and establishments. (Sec. 103)

c. All refuse shall be collected at least once each week. All industrial, commercial, business, or institutional refuse shall be collected at least twice each week. (Sec. 104)

d. No person other than a contract refuse collector or a limited collector shall accept food processing waste without first obtaining the written approval or a limited collector's permit. (Sec. 120)

e. All collection vehicles shall be of a type and construction permitting refuse to be enclosed in a watertight leak-proof, insect and rodent-proof container having a tight-fitting cover so as to prevent leakage, spillage, or overflow. (Sec. 120)

f. A means of covering and containing the refuse securely within the hauling body of every collection vehicle shall be provided, and no refuse shall be permitted to escape from the vehicle. (Sec. 147)

g. At all disposal areas, refuse disposal shall be by means of sanitary landfill, by incineration, or by other approved methods. (Sec. 147)

h. Any breeding place of flies or rodents is a public nuisance. (Sec. 171)

2. Prohibited Activities

a. It shall be unlawful for any person to collect refuse without having first entered into a contract with the County to provide such service. (Sec. 62)

b. It shall be unlawful to accumulate refuse, waste and filth. (Sec. 100)

c. It shall be unlawful for any person using a county disposal area to refuse to obey the signs posted at the area, or to refuse to obey the directions of the employee or agent, or to obstruct any of the driveways or passageways. (Sec. 160)

. ENFORCEMENT

1. Requirements for Permits

a. Limited collector's permits are required for collecting any refuse within the County. (Sec. 41) A fee of $50 shall be paid at the time of making application. A fee of $25 shall be paid for renewal. (Sec. 51)

b. Industrial, commercial and business establishments operating their own service shall not be required to have permits. (Sec. 80)

c. A person collecting building materials, commercial garbage and dead animals shall not be required to have permits. (Secs. 82 and 83)

d. No person shall operate a disposal area without a disposal area permit. (Sec. 140)

e. Any person responsible for the feeding to swine of garbage or swill, or anyone operating a hog farm or animal feeding yard, shall have a disposal area permit. (Sec. 148)

2. Inspection Procedure

The Health District shall inspect the vehicles to be used by an applicant in the collection and transportation of refuse. (Sec. 43)

3. Liability for Violators

The Board may revoke a limited collector's permit upon reasonable cause. (Sec. 47)

4. Administrative Proceedings

a. Revocation of permits shall be only after a public hearing, notice of which has been given to the holder of the permit at least 10 days prior to the hearing. (Sec. 47)

b. Not prior to 30 days and within 60 days of an application for a limited collector's permit, the Board of Supervisors shall hold a public hearing, and after the hearing shall either deny or grant a permit. (Sec. 46)

c. Prior to holding any public hearing required by this article, the Board shall give notice of the public hearing by publication. (Sec. 50)

d. Prior to the entering into of a collection contract and at the time of the annual review of rates, the Board shall hold at least one public hearing. (Sec. 67)

e. Within 30 days of the receipt of the application for disposal area permit, the Planning Commission shall hold a public hearing. (Sec. 142)

f. If a hearing is not requested within 10 days after service of ''Notice of Intention to Abate,'' the District Health Officer may proceed to abate any nuisance. (Sec. 176)

5. Penalties

Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $500, or by imprisonment not exceeding 6 months, or by both. (Sec. 200)

6. Performance Bonds

The Board of Supervisors may require, in connection with the issuance of any limited collector's permit and of any disposal area permit, that the applicant file a surety bond in an amount to be fixed by the Board, condtioned to guarantee faithful compliance with this Ordinance. (Secs. 45 and 146)

SANTA BARBARA COUNTY, CALIFORNIA

I. NAME OF ORDIANCE

Chapter 17, Garbage and Refuse, Santa Barbara County Code, July 19, 1960, as amended.

II. GENERAL STATEMENT

1. Declaration of Policy

2. Definitions

   a. Disposal area - includes any site, location, or tract of land, area, building, structure, transfer box, transfer station, or premise permitted by law to be used for refuse disposal.

   b. Garbage - includes all putrescible wastes and all animal or vegetable refuse or residue that result from the preparation or care for, or treatment of, food stuffs intended to be used as food, or have resulted from the preparation or handling of food for human consumption, or any decayed or unsound meat, fruit or vegetable.

   c. Refuse - includes all types of putrescible or non-putrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, cardboard, garbage, grass clippings, tree or shrub trimmings, wood, bedding, crockery, rubber tires, construction waste, and similar waste materials, except sewage and industrial wastes.

   d. Waste - includes non-putrescible wastes such as unusable, unwanted or discarded material and debris resulting from normal community or business activities, or materials which by their presence may injuriously affect the health, safety, and comfort of persons or depreciate property values in the vicinity thereof. (Sec. 17-1)

III. ADMINISTRATION

1. Responsible Agency

   Maintenance and Operations Division, Department of Public Works.

2. Functions and Powers

   a. To make all necessary and reasonable rules and regulations, covering refuse and garbage accumulations, collection and transporting types of refuse containers and refuse collection vehicles and for the effective and reasonable administration of this chapter. (Sec. 17-43)

b. To issue license to engage in collecting, hauling or transporting refuse. (Sec. 17-20)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Garbage and waste must be stored in a standard container or containers with close-fitting covers not exceeding eighty pounds. In the case of multiple dwellings, there must be at least one standard container for each dwelling unit. (Sec. 17-2)

b. All garbage, waste or refuse must be picked up at least once each week. (Sec. 17-3)

c. The county must provide disposal sites for the disposal of garbage, waste and refuse. (Sec. 17-7) Permission for disposal sites may be granted to cities, sanitary districts or other divisions of government. (Sec. 17-8)

d. The sanitary landfill method of disposal shall be used at all county operated sites. (Sec. 17-9)

e. The owner of any private property must at all times maintain the premises free of litter. (Sec. 17-15) When the county removed dangerous litter or paid for its removal, the actual cost plus accrued interest shall be charged to the owner. (Sec. 17-17)

f. The bodies of collection trucks must have beds of metal or of imprevious material which can be cleaned, and such beds must be water-tight and leak-proof. Packer-type completely enclosed trucks should be used to the fullest possible extent. (Sec. 17-37)

g. The collector must provide a minimum of regular weekly collections. The hours of collection must be from 6:00 a.m. to 6:00 p.m. daily, except Sundays and holidays. (Sec. 17-44)

h. The county may charge a fee at the rate of fifty cents per yard or one dollar per ton, except weekends. The regular minimum rates for use of the county disposal sites shall be fifty cents. (Sec. 17-53)

i. The Board of Supervisors may change, adjust or otherwise alter the prices and regulations. (Sec. 17-56)

2. Prohibited Activities

a. It shall be unlawful to deposit garbage, waste or refuse in or upon any public right-of-way, watercourse, or upon any premises except at an approved disposal site. No person shall allow refuse to leak, spill, blow or drop from any vehicle on any road. (Sec. 17-4)

b. It shall be unlawful to burn garbage or refuse containing garbage. (Sec. 17-5)

c. It shall be unlawful to dump refuse on private or public property other than provided by this chapter except by special written permission. (Sec. 17-6)

d. It shall be unlawful to scavenge on the premises of any public sanitary fill or county disposal areas. (Sec. 17-10)

e. It shall be unlawful to litter on any occupied private property. (Sec. 17-14)

f. It shall be unlawful to accept refuse from outside of the county at county disposal areas except in emergencies.

V. ENFORCEMENT

1. Requirements for Licenses

a. Any person who collects, hauls or transports refuse on any highway is required to first obtain a license to engage in such operation. (Sec. 17-20) Exceptions: Any municipality, public agency, sanitary district, division of government, industrial, or commercial establishment. (Sec. 17-21)

b. The license issued may be revoked and cancelled in the event of a change in ownership of the operating company. (Sec. 17-23c)

c. All license issued are effective for five years. The licensee's truck fee per annum is $100 for the first truck and $25 for each additional truck. (Sec. 17-24)

2. Inspection Procedure

All of licensees equipment must be inspected during June and December of each year and be certified that his equipment conforms to regulations. (Sec. 17-40)

3. Liability for Violators

The Refuse Department may suspend or revoke any license whenever the licensee fails or refuses to comply with the provisions of this Code. (Sec. 17-29)

4. Administrative Proceedings

a. Any person who is dissatisfied with any decision of the Refuse Department may appeal to the Board of Supervisors, which Board shall hear the matter de novo. (Sec. 17-29)

b. Any person may appeal from denial of license by filing a notice of appeal. (Sec. 17-50)

c. Should a person be dissatisfied with the fee charged, he may appeal in writing to the Board of Supervisors within ten days of rendering of decision or ruling. (Sec. 17-60)

5. Penalties

a. The county will pay a reward of $50 to any person who gives information which leads to the arrest and conviction of litters. (Sec. 17-18)

6. Performance Bond

a. Before issuing any license, the Refuse Department shall require the applicant to post a cash bond or a surety bond in the sum of $2,500 by a corporate surety. (Sec. 17-27)

SONOMA COUNTY, CALIFORNIA

I. NAME OF ORDINANCE

An Ordinance Regulating and Controlling the Storage, Collection, Transportation, and Disposal of Refuse, etc., Ordinance No. 1069, February 6, 1968, as amended by Ordinance Nos. 1080 and 1086.

II. GENERAL STATEMENT

1. Definitions

   a. Disposal area - includes any site, location, or tract of land permitted by the Board to be used for refuse disposal.

   b. Garbage - includes all putrescible wastes and all animal or vegetable refuse or residue that shall result in the preparation or care for, or treatment of, foodstuffs intended to be used as food, and includes all putrescible wastes having resulted from the preparation or handling of food for human consumption, or any decayed or unsound meat, fish, fruit or vegetable.

   c. Refuse - includes both garbage and rubbish.

   d. Rubbish - includes non-putrescible wastes, including but not limited to, unusable, unwanted or discarded material and debris resulting from normal community or business activities, or materials which by their presence may injuriously affect the health, safety, and comfort of persons or may depreciate property values in its vicinity or both.

   e. Standard container - includes any water-tight can with a close-fitting cover, side bail handles and having a capacity of thirty-two (32) gallons or less. (Sec. 1)

III. ADMINISTRATION

1. Responsible Agency

   Director of Public Works

2. Functions and Powers

   a. To administer and enforce this Ordinance. (Sec. 18a)

   b. To issue licenses for collecting, hauling or transporting refuse. (Sec. 6)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Every person must provide sufficient standard containers for receiving all garbage and refuse. (Sec. 2a and c)

   b. No person shall fill a container so as to exceed 80 pounds when filled with garbage and to exceed 50 pounds when filled with rubbish. (Sec. 2b and d)

   c. No person shall accumulate refuse in an amount that creates a nuisance. (Sec. 2f)

   d. The occupant of any property may dispose of refuse by burrying it a sufficient distance from the nearest building used for human habitation. (Sec. 2g)

   e. The operation of disposal areas, sanitary fills or mechanical disposers must comply with the requirements of this Ordinance. (Sec. 2h)

   f. The County Board of Supervisors shall provide disposal areas for the disposal of refuse. (Sec. 2i)

   g. No person shall transport refuse in any container that has been used for burning. (Sec. 3b)

   h. No one is required to service containers of over 32 gallons capacity or any container exceeding 80 pounds in weight. (Sec. 13)

   i. No person shall transport garbage unless it is contained in watertight metal tanks, with close-fitting metal covers, and such covers must be affixed to the tanks, containers, or other receptacles in such a manner as to prevent the dropping or spilling of any garbage upon the highway. (Sec. 14)

   j. All licensees must maintain records and submit periodic reports based on these records. (Sec. 15a)

   k. The bodies of collection trucks must have watertight beds of metal or of impervious material. The beds must be cleaned and disinfected at least once a day when in use. (Sec. 15m)

   l. Refuse generated outside the County will not be accepted at any disposal area. (Sec. 16)

2. Prohibited Activities

   a. It shall be unlawful for any person to throw any refuse upon any premises whatsoever except at a disposal area. (Sec. 3a)

b. It shall be unlawful for any person to transport refuse in any container that has been used for burning. (Sec. 3b)

c. It shall be unlawful for any person to burn garbage or other offensive odor-producing materials. (Sec. 4a)

d. It shall be unlawful for any person to engage in any scavenging activities at any disposal area without permission. (Sec. 16)

V. ENFORCEMENT

1. Requirements for Licenses.

a. No person shall collect refuse without receiving the appropriate license from the Director of Public Works. (Sec. 6)

b. All licenses shall be effective for ten years from the date of issuance unless provided otherwise or revoked. (Sec. 10a)

c. A license may be denied or withheld if the Director of Public Works finds that the collection vehicle is insufficient, unfit or incapable of being used in compliance with the provisions of this Ordinance. (Sec. 18b)

2. Inspection Procedure

Licenses must present their equipment for inspection during June and December of each year. (Sec. 15 c)

3. Liability

The Director of Public Works may suspend or revoke any license whenever the licensee fails to comply with the provisions of this Ordinance. (Sec. 18c)

4. Administrative Proceedings

Revocation or suspension of licenses may be taken only after ten days notice in writing to the licensee. (Sec. 18c) Any person who is dissatisfied with any decision of the Director of Public Works may appeal to the County Board of Supervisors by filing with the Clerk of the Board of Notice of Appeal. The hearing shall be only after a notice of the time thereof mailed to appellant and respondent at least 7 days before said hearing. (Sec. 18d)

5. Penalties

Any person who violates the provisions of this Ordinance is guilty of a misdemeanor, and, upon conviction, shall be punishable by a fine of not more than $300.00 not less than $25.00 or by imprisonment for a term not exceeding 3 months, or by both. (Sec. 21)

6. Performance Bonds and Insurances

   a. Prior to the issuance of any license, the prospective licensee must furnish a cash deposit or a surety bond in the sum of $2500.00.

   b. The licensee must obtain public liability and bodily injury insurance in an amount not less than $200,000.00 for injuries or death to any one person and not less than $500,000.00 for more than one person; and Workmen's Compensation insurance covering all employees of the licensee. (Sec. 11)

DADE COUNTY, FLORIDA

I. NAME OF ORDINANCE

Chapter 15 Garbage and Trash, Dade County Code, June 9, 1959.

II. GENERAL STATEMENT

1. Definitions

a. Commercial establishments - includes any hotel, motel, apartment house, rooming house or tourist court which contains three (3) or more service units, and any other building, business or establishment of any nature or kind whatsoever other than a residential unit.

b. Garbage - includes every refuse accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, of storage of edibles, and any other matter, of any nature whatsoever, which is subject to decay, putrefaction and the generation of noxious or offensive gases or odors, or which, during or after decay, may serve as breeding or feeding material for flies or other germ-carrying insects.

c. Garbage can - includes any galvanized metal or durable plastic container of the type commonly sold as a garbage can, of a capacity not less than twenty gallons and not to exceed thirty gallons, having two handles upon the sides thereof, or a bail by which it may be lifted and a tight-fitting metal or plastic top with handle, and so constructed as to permit the free discharge of its contents.

d. Garden trash - includes all accumulations of leaves, grass or shrubbery cuttings, and other refuse attending the care of lawns, shrubbery, vines and trees.

e. Industrial waste - includes waste products of canneries, slaughterhouses or packing plants, condemned food products, agricultural waste products, wastes and debris from brick, concrete block, roofing shingle or tile plants, debris and wastes accumulated from land clearing, excavating, building, rebuilding and altering of buildings, structures, roads, streets, sidewalks or parkways, and any waste materials which, because of their volume or nature, do not lend themselves to collection and incineration co-mingled with ordinary garbage and trash, or which because of their nature or surrounding circumstances, should be, for reasons of safety or health, disposed of oftener than the county collection service schedule provided for in this chapter.

f. Noncombustible refuse - includes refuse materials that are unburnable at ordinary incinerator temperature (800 to 1800 degrees F) such as metals, mineral matter, large quantities of glass or crockery, metal furniture auto bodies or parts, and other similar material or refuse not usual to housekeeping or to operation of stores or offices.

g. Residential unit - includes any structure or shelter or any part thereof used, or constructed for use, as a residence for one family.

h. Rubbish - includes refuse accumulations of paper, excelsior, rags or wooden or paper boxes or containers, sweepings, and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices and other business places, and also any bottles, cans or other containers which, due to their ability to retain water may serve as breeding places for mosquitoes or other water-breeding insects; rubbish shall not include noncombustible refuse, as defined above.

i. Service unit - includes any four sleeping rooms or a fraction thereof, where no cooking privileges are provided, located in any commercial establishment.

j. Waste - includes garbage, rubbish, garden trash, noncombustible refuse and industrial wastes as herein defined. (Sec. 15-1)

III. ADMINISTRATION

1. Responsible Agency

The Waste Division of Public Works Department.

2. Functions and Powers

a. To establish the type, frequency and amount of waste collection and disposal service. (Sec. 15-13)

b. To promulgate rules and regulations. (Sec. 15-13)

c. To issue permits to engage in refuse collection. (Sec. 15-17)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Each commercial establishment shall have sufficient garbage cans or approved waste containers, and each residential unit shall have two garbage cans. Garbage cans shall be kept tightly covered at all times and easily accessible to the collectors. (Sec. 15-2)

b. Before building permits may be issued, (except for single family residential use) plans for storage of refuse must be approved by the director of public works. (Sec. 15-4)

c. Each owner or occupant shall have the duty to prevent the continued, excessive and unsightly accumulation of garbage and trash. (Sec. 15-5)

d. The material transported must be adequately secured in such a manner as to prevent the material from falling or being blown from transporting vehicle. (Sec. 15-7)

e. Special collections may be performed for special fees. Extra service charge may be made for unreasonably delaying or interfering with waste collection. (Sec. 15-14)

f. Any person may be issued a permit to dispose of waste materials accumulated on his own premises by burial. (Sec. 15-15)

g. The county shall not be responsible for collecting industrial waste, noncombustible waste, building material, discarded furniture, etc. (Sec. 15-16)

2. Prohibited Activities

a. It shall be unlawful to dump or bury any waste without proper authorization, except materials suitable for fill with property owner's permission. (Sec. 15-6)

b. It shall be unlawful to place any dangerous materials in waste containers. (Sec. 15-8)

c. It shall be unlawful to dispose of garbage within designated geographical service area except by or through the incineration or composting facility. (Sec. 15-9)

V. ENFORCEMENT

1. Requirements for Permits

A permit shall be obtained to carry on the business of refuse collection. Permits shall be for one year. The county may refuse to renew permits at the expiration date. A fee of $25.00 shall be charged for initial issuance, and the renewal fee shall be $10.00 per year. (Sec. 15-17)

2. Liability for Violators

Permits may be cancelled for inadequate service, inadequate precautions in collection, or disposal, littering of streets, alleys, or roads or interfering or hindering county waste service. (Sec. 15-17)

3. **Penalties**

Any person found guilty of a violation of any provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be liable to pay a fine not to exceed $500.00 or to imprisonment not to exceed 30 days or by both. (Sec. 15-32)

4. **Liens**

Waste fees shall constitute special assessment liens against all improved real property. (Sec. 15-28)

DEKALB COUNTY, GEORGIA

I. NAME OF ORDINANCE

DeKalb County Sanitation Ordinance of 1967, as amended; Chapter 8, Part II of the DeKalb County Code.

II. GENERAL STATEMENT

1. Declaration of Policy

The ordinance shall apply to the preparation and storage, collection, transportation, and disposal of all refuse in the area under the jurisdiction of the county sanitary districts as presently or hereafter established.

2. Definitions

a. Garbage - includes putrescrible animal and vegetable wastes resulting from the preparation, cooking, and serving of food and the storage and scale of produce, tin cans, glass containers and newspapers.

b. Noncombustible trash - includes materials which are unburnable in the incinerator or at incinerator temperatures of 800 to 1800 degrees F.

c. Refuse - includes garbage and trash collectively.

d. Sanitary landfill - includes any refuse disposal area operated by the county.

e. Trash - includes non-putrescible solid wastes consiting of combustible and noncombustible material such as, but not limited to, paper, cardboard, yard clipping, wood, glass, crockery and similar materials.

III. ADMINISTRATION

1. Responsible Agency

Director of Sanitation (Sec. 8-3:a)

2. Functions and Powers

a. To make routine inspections of garbage cans, garbage containers and garbage collection areas. (Sec. 8-3:b)

b. To provide the unincorporated areas of the county into pick-up routes or districts. (Sec. 8-4)

c. To issue regulations relative to the disposal of refuse at county facilities. (Sec. 8-9:b)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations Outlined

a. Storage of Refuse

(1) Garbage must be stored in garbage cans or commercial containers. Large amounts of trash must be stored separately in trash cans or commercial containers. (Sec. 8-5:a and b)

(2) Residential garbage cans must be placed not more than 150 feet from the curb.(Sec. 8-5:d)

(3) Refuse cans will not be picked up if gates are locked, wired or tied shut, and if dogs are not secured. (Sec. 8-5:e)

(4) Owners must prevent the continued excessive accumulation of refuse. (Sec. 8-5:f)

(5) The county will not collect refuse from commercial establishment or multiple dwellings unless placed in commercial containers. (Sec. 8-6:b)

(6) Owners of multiple dwellings must provide enough containers to provide at least one-half cubic yards of refuse storage space for each family unit. (Sec. 8-6:d)

b. Collection of Refuse

(1) Garbage to be collected twice each week from residential units; trash once a week.

(2) Refuse to be collected as often as six times a week from commercial establishments.

(3) Collection service may be discontinued if garbage or trash cans or commercial containers are inadequate or have been condemned as unfit. (Sec. 8-7)

(4) Owners of the property located on any pick-up route or district may use an approved receptical for the acceptance of refuse. (Sec. 8-12)

c. Sanitary Landfills

(1) Any person or firm who desires to operate a sanitary landfill should receive the written approval of the governing authority. (Sec. 8-15)

(2) Application requires boundary survey, zoning compliance certificate, and approval of department heads of health, planning, fire, sanitation and public works.

(3) All sanitary landfills must have a crawler type tractor and accessories weighting not less than 20,000 pounds. (Sec. 8-17)

(4) All sanitary landfills must be enclosed with a fence at least 5 feet high. (Sec. 8-18)

(5) All landfills must have an operator in attendance at all times when in use. (Sec. 8-19)

(6) Any changes in the normal drainage of the property must be approved by the Public Works Department. (Sec. 8-20)

(7) The streams must not be impeded or polluted. (Sec. 8-22)

(8) Adequate drainage facilities must be provided. (Sec. 8-24)

2. Prohibited Activities

a. It shall be unlawful to place in any container any acid, explosive material, inflammable liquids or dangerous or corrosive material. (Sec. 8-5:g)

b. It shall be unlawful to haul and convey any refuse along the public streets and roadways. (Sec. 8-8:a)

c. It shall be unlawful to dump refuse except at the incinerator or sanitary landfills. (Sec. 8-9:a)

d. It shall be unlawful to dump or bury any refuse without written permission. (Sec. 8-9:d)

3. Approved operations of sanitary landfill. See above IV, 1,c.

V. ENFORCEMENT

1. Requirements for Licenses

Licenses are required for the operation of sanitary landfill. (Sec. 8-15)

2. Inspection Procedure

Sanitation inspectors have authority to make routine inspections of garbage containers. They have a duty to issue summons directed to the violators to appear in the Recorder's Court. (Sec. 8-3:b)

3. Liability for Violators

All permits to establish and maintain landfills shall be subject to revocation after a public hearing. Thirty days notice of such hearing shall be given to the licensee in writing. The Board of Commissioners may suspend the license temporarily pending correction of the cause or terminate it. (Sec. 8-25)

BALTIMORE COUNTY, MARYLAND

I. NAME OF ORDINANCE

Article IV, Garbage, Trash, Ashes and Other Offensive Matter, Baltimore County Code, October 5, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

   The purpose of this Article is to protect the public health and safety of the citizens of the county. (Sec. 13-29)

2. Definitions

   a. Ashes - includes noncombustible residue from the burning of wood, coal, coke and other combustible materials in homes, stores, institutions and industrial establishments for the purpose of heating, cooking and disposing of waste combustible material and, unless otherwise specified, does not include tin cans, scrap metal and glass.

   b. Commercial refuse - includes refuse from wholesale and retail stores, including but not limited to restaurants, florists, beauty shops, barbershops, doctor offices, variety stores, hardware stores and other enterprises of this classification in the County Zoning Regualtions.

   c. Garbage - includes animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods, exclusive of recognized industrial by-products and human or animal feces.

   d. Hazardous and special wastes - includes hazardous solid and liquid wastes, including but not limited to highly flammable materials, explosives, pathological wastes and radioactive materials.

   e. Incineration - includes destruction by combustion, in which heat, not less than twelve hundred degrees Fahrenheit, is applied to all classes of waste material, within a properly designed plant.

   f. Industrial refuse - includes solid waste materials from factories processing plants and other manufacturing enterprises, including but not limited to putrescible garbage from food processing plants and slaughterhouses, condemned foods, building rubbish. cinders from power plants and manufacturing refuse.

g. Offal - includes waste animal matter from butcher and slaughter or packing houses.

h. Open dump - includes any land public or privately owned, other than a sanitary landfill, on which there is deposit and accumulation, either temporary or permanent, of any kind of organic or inorganic refuse, including but not limited to waste materials, waste products, waste paper, garbage, empty cans, broken glass, rags and all other kinds of organic or inorganic refuse, but excluding scrap for use in manufacturing processes on the premises, or nonputrescible waste materials resulting from such processes, or resulting from the construction or elimination of facilities for such processes.

i. Refuse - includes all waste materials, combustible or noncombustible from all public and private establishments and residences, other than sewage.

j. Rubbish - includes all solid waste, other than garbage, offal and ashes, from homes, hotels, stores, institutions, markets, and other establishments; further classified as combustible and noncombustible.

k. Sanitary landfill - includes planned and systematic method of refuse disposal by burying. (Sec. 13-28)

III. ADMINISTRATION

1. Responsible Agency

County Health Officer and the Department of Public Works

2. Functions and powers

a. To issue permits for collection and disposal of refuse. (Sec. 13-32)

b. To make inspections. (Sec. 13-33)

c. To contract for the collection and removal of refuse. (Sec. 34:e)

IV SCOPE OF LEGISLATION

1. Standards and Regulations

a. Garbage and other offal, trash and ashes shall each be placed in secure receptacles covered with a lid. Rubbish may be tied in bundles which can be readily handled. (Sec. 13-37:a)

b. All persons are required to keep their premises free from accumulation of improperly stored refuse. All refuse shall be stored in closed receptacles. (Sec. 13-31:a)

c. All garbage shall be stored in approved water-tight containers with tight fitting lids. (Sec. 13-31:b)

d. The occupant of any premises shall be responsible for the sanitary condition of the premises. (Sec. 13-31:c)

e. All collection vehicles shall be sufficiently watertight to prevent the loss of any liquid waste. (Sec. 13-34:a)

f. All open type vehicles shall be covered by heavy canvas or metal. (Sec. 13-34:b)

g. All vehicles shall be loaded in such a manner as to prevent spillage or overflow. (Sec. 13-34:c)

h. All vehicles shall be cleaned at the end of each day's operation in a manner which will minimize odors and prevent insect and rodent breeding. (Sec. 13-34:d)

i. All garbage-feeding hog farms must meet the minimum requirements of the State Board of Agriculture. (Sec. 13-43)

j. No incinerator shall be operated in such a manner as to leave unburned organic matter in the residue. (Sec. 13-47:b)

k. No incinerator shall be constructed or operated in such a manner as to violate any state or local air-pollution laws or regulations. (Sec. 13-47:d)

l. No incinerator shall be operated in such a manner that the smoke density from the stack shall exceed No. 1 on the Ringlemann Chart. (Sec. 13-47:c)

2. Prohibited Activities

   a. It shall be unlawful for any person to deposit any offensive material on any street except under a permit. (Sec. 13-38)

   b. It shall be unlawful for any person to place any receptacles containing hot or burning material on any street. (Sec. 13-39)

   c. It shall be unlawful for any person exept the authorized persons to transport, store or dump any offensive material upon any street without a permit. (Sec. 13-40)

   d. It shall be unlawful for any person to sweep refuse, etc., in or upon public places. (Sec. 13-41)

   - e. It shall be unlawful to spread manure on lands except upon permit. (Sec. 13-44)
   - f. It shall be unlawful for any person to deposit refuse, etc. upon vacant lots. (Sec. 13-42)
   - g. It shall be unlawful to maintain an open dump. (Sec. 13-30)

3. Approved Operations of Solid Waste Facilities - Sanitary Landfills.
   - a. Daily cover of at least 6 inches of well-compacted earth shall be placed to cover all refuse deposited that day.
   - b. The final cover shall be maintained at a depth of 24 inches.
   - c. The burning of refuse shall be prohibited.
   - d. The fill shall be properly protected from erosion and sedimentation.
   - e. Water pollution shall be prevented.
   - f. A bulldozer or similar machinery shall be maintained on the site at all times.
   - g. An all weather access road shall be provided.
   - h. Access to the site shall be limited.
   - i. Fire protection shall be provided.
   - j. Individual lifts shall be no greater than 8 feet in depth, after which there must be an intermediate cover at least 12 inches deep.
   - k. Vermin and rodent life shall be eliminated.
   - l. Dust control measures shall be taken.
   - m. Surface water shall be drained. (Sec. 13-49)

V. ENFORCEMENT

1. Requirements for Permits
   - a. Permits are required for collection and disposal of refuse. (Sec. 13-32:a)
   - b. All permits shall be renewed at the end of each calendar year. (Sec. 13-32:b)
2. Inspection Procedure

The Health Department shall make daily inspections, and other agencies shall make random inspections not less than monthly. (Sec. 13-33)

3. Liability for Violators

If the licensee fails to comply with the requirments set forth in the notice of violations, the Health Department shall issue an order to the Director of the Department of Permits and Licenses, who shall revoke the permit. (Sec. 13-32:e)

4. Administrative Proceedings

The licensee has the right to appeal the action of the Director of the Department of Permits and Licenses. (Sec. 13-32:e)

5. Penalties

Any person violating this division shall be guilty of a misdemeanor, and shall be fined for not more than $1000, or be imprisoned for not more than six months, or both. (Sec. 13-51)

6. Performance Bonds

Before any permit shall be issued, the applicant shall be required to give a performance bond in the amount of $10,000. (Sec. 13-48:e)

MONTGOMERY COUNTY, MARYLAND

I. NAME OF ORDINANCE

Montgomery County Code 1965, as amended, Chapter 87, Garbage and Refuse.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes all organic waste, consisting of the residue of animal, fruit or vegetable matter, resulting from the preparation, cooking, handling or storage of food, exclusive of human or animal feces.

b. Refuse - includes ashes, garbage, rubbish, junk, industrial waste, dead animals and all other solid waste materials, including salvable waste.

c. Rubbish - includes all refuse other than garbage, whether combustible or noncombustible, including but not limited to: Rubbish from building construction or reconstruction, dead trees, uprooted tree stumps, slash, rubble, bottles, cans, waste paper, cardboard, sawdust piles, slash from sawmill operations and all other waste material. (Sec. 87-1)

III. ADMINISTRATION

1. Responsible Agency

Director of the Department of Inspections and Licenses and the Health Officer.

2. Functions and Powers

a. To approve any method of refuse disposal. (Sec. 87-4)

b. To issue licenses for collectors (Sec. 87-13), incinerating plants, (Sec. 87-9:b), and sanitary landfills. (Sec. 87-9:b)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Collection

(1) No refuse shall be collected or transported within the county except by a licensed collector or hauler. (Sec. 87-13:a)

(2) Each collection vehicle must be registered. (Sec. 87-14:a) It must have metal body not to exceed 7 feet in height, and a suitable tightly fitting cover. (Sec. 87-14:n)

(3) Refuse collectors must maintain regular service in accordance with a written or oral contract; remove all rubbish in containers from every point of pickup; provide alternate service in the event of mishap or breakdown of regular equipment; and maintain the vehicle body so as to prevent leakage of contents. (Sec. 85-15)

b. Storage and Removal

(1) Owners and occupants must provide sufficient containers; shall not permit accumulation of trash, litter or rubbish on streets, sidewalks or private property.

(2) All containers must be vermin-proof and waterproof, of noncorrodible metal, and equipped with tight-fitting lids.

(3) Refuse in incinerators must be destroyed daily, or stored in proper containers or storage rooms.

(4) The frequency of collection must be at least once a week. Highly putrescible waste must be removed from commercial premises daily. (Sec. 87-16)

c. Disposal

(1) Incinerators must be constructed in accordance with the Building Code. (Sec. 87-7:a)

(2) They shall not emit fly ash in excess of 0.85 pounds per 1000 pounds of dry flue gas, corrected to 12% carbon dioxide or 50% excess air. (Sec. 87-7:b)

(3) The area around incinerator must be kept free from accumulations of refuse. (Sec. 87-7:c)

(4) Incinerating plants must be enclosed by substantial fence, 6 feet high. (Sec. 87-8:b,1)

(5) Sanitary Landfills

(a) No less than 4 feet of dirt shall remain as over-burden over rock soils.

(b) The landfill shall not result in water pollution.

(c) No refuse shall be dumped in water.

(d) The soil compostion must permit adequate drainage.

(e) Access roads must comply with the Road Construction Code.

(f) The nearest well must not be less than 500 feet away.

(g) The site must be properly drained to prevent ponding, erosion or washing away.

(h) Refuse must be covered within 24 hours of deposit; fish and highly putrescible matter must be covered immediately; average final coverage of surface and side slopes must be 24 inches.

(i) No scavenging or burning.

(j) Portion of fill actually in use must be completely fenced. (Sec. 87-9)

(6) On-site disposal by burial is permitted for camps and farms in trench providing 8 inches of dirt cover. (Sec. 87-10)

(7) Disposal in compost piles is permitted only when the pile is rodent proof. (Sec. 87-11)

2. Prohibited Activities

a. It shall be unlawful to dispose any refuse except at an approved place. (Sec. 87-5)

b. It shall be unlawful to feed garbage to swine. (Sec. 87-7)

c. It shall be unlawful to collect and/or transport any refuse except as provided.

3. Approved Operations of Sanitary Landfill.

See above IV, 1, c, (5).

V. ENFORCEMENT

1. Requirement for Permit

a. No person shall establish an incinerating plant without obtaining a license. (Sec. 87-8:b)

b. No person shall operate a sanitary landfill without obtaining a license. (Sec. 87-9:b)

c. No person shall collect refuse without obtaining a license. (Sec. 87-13:a)

PRINCE GEORGE'S COUNTY, MARYLAND

I. NAME OF ORDINANCE

Solid Waste Ordinance, August 11, 1967.

II. GENERAL STATEMENT

1. Declaration of Policy

It is the intent of this Ordinance to protect the public health and safety by setting down minimum standards for the storage, collection, transportation, and disposal of solid wastes. (Sec. 1)

2. Definitions

a. Solid Wastes (Refuse) - includes all waste materials, combustible or noncombustible, from all public and private establishments, and residences, including trash, garbage, rubbish, offal, industrial refuse and commercial refuse, but not the body excrements.

b. Garbage - includes animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods, exclusive of recognized industrial by-products from canneries and other food processing industries, and human or animal feces.

c. Ashes - includes noncombustible residue from the burning of wood, coal, and other combustible materials in homes, stores, institutions and industrial establishments for the purpose of heating, cooking, and disposing of waste combustible material.

d. Rubbish - includes all solid waste other than garbage, offal, and ashes from homes, hotels, stores, instiutions, markets and other establishments.

e. Trash - includes rubbish and ashes.

f. Sanitary Landfill - includes any planned and systematic method of refuse disposal whereby the waste material is placed in the earth in layers, then compacted and covered with earth or other approved cover material at the end of each day's operation.

g. Incineration - includes destruction by combustion, in which heat, not less than 1,200 degrees F., is applied to all classes of waste material, within a properly designed plant approved by the Department of Public Works.

h. Open Dump - includes any land publicly or privately owned, other than a sanitary landfill, on which there is deposit and accumulation, either temporary or permanent, of any kind of organic or inorganic refuse. (Sec. 2)

III. Administration

1. Responsible Agency

Department of Public Works and Health Department.

2. Functions and Powers

a. To issue licenses for collection and/or disposal of refuse. (Sec. 3,a)

b. To make inspections of refuse storage containers, refuse collection vehicles, and refuse disposal facilities. (Sec. 4)

c. To pass regulations to carry out the intent and purpose of this ordinance. (Sec. 14)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Collection and Transportation

(1) All collection vehicles must be sufficiently watertight.

(2) All open type vehicles must be covered by heavy canvas or metal and kept cleaned.

(3) In special districts, the county may collect refuse from single residence dwellings, duplex residence dwellings and triplex residence dwellings. The county may contract with private individuals, associations and corporations to to provide refuse collection service.

b. Storage

(1) All persons are required to keep their premises from accumulations of refuse.

(2) All garbage must be stored in approved containers with tightfitting lids.

(3) The occupant of any premises must be responsible for the sanitary condition of the premises occupied by him. (Sec. 8)

c. Disposal

(1) All garbage-feeding hog farms must meet the minimum requirements, including pasturization, of the Maryland State Board of Agriculture.

(2) No incinerator should be operated in such a manner as to create harborage for rodents, flies or other insects and to leave unburned organic matter in residue.

(3) Construction and operation of incinerator must meet the requirements of all existing air pollution control laws.

(4) Every sanitary landfill must be throughly compacted and covered at the end of each day's operation with at least 6 inches of compacted soil. When completed, it must be covered with at least 24 inches of soil, and should not cause a dust nuisance.

(5) Burial of refuse on owner's property must be conducted subject to the approval of the Health Officer.

(6) The disposal of hazardous and special wastes must be consulted and approved by the Health Officer. (Sec. 10)

2. Prohibited Activities.

a. It shall be unlawful for any person to engage in collection, transportation, or disposal of refuse without a written license from the Department of Public Works. (Sec. 3,e)

b. It shall be unlawful to maintain operation of open dumps. (Sec. 10,3,a)

V. ENFORCEMENT

1. Requirements for Permits

a. A license from the Department of Public Works is required to collect and dispose of refuse. (Sec. 3,a)

b. Licenses are valid for 1 year and must be renewed one year from the date of issuance. (Sec. 3,c)

2. Inspection

Representatives of the Department of Public Works and the Health Department make inspections of the equipment, disposal site and other facilities. (Sec. 3,8:1)

3. **Liability for Violators**

If the violator fails to make necessary corrections, the Department of Public Works has authority to revoke any license. In addition, any criminal violations of this ordinance shall be reported to the State's Attorney's office and the County Attorney's office for appropriate action. (Sec. 4)

4. Administrative Proceedings

Any person accused of violation is entitled to the priviledge of a hearing. The violator must request such a hearing in writing within 30 days after he receives notice of violation. (Sec. 5)

5. Penalties

Any person convicted of any violation is guilty of a misdemeanor and fined a sum of not more than $500, or 90 days of imprisonment. (Sec. 13)

6. Performance Bonds

In the case of a sanitary landfill operation, the applicant for a license must submit a completion maintenance bond, cash, or other security. The amount must be sufficient to cover cost of repair and/or maintenance and/or completion of a landfill during the license period. (Sec. 3,b)

KALAMAZOO COUNTY, MICHIGAN

I. NAME OF ORDINANCE

''Refuse and Garbage Collection and Disposal Regulations.'' September 6, 1961.

II. GENERAL STATEMENT

1. Definitions

   a. Refuse - includes any waste produce which is not water carried and which is composed wholly or partly of such materials as garbage, rubbish, sweepings, industrial solid wastes, or domestic solid wastes, organic wastes or such other substances which may become a nuisance.

   b. Garbage - includes all food wastes of animal, fruit or vegetable matter that attends the preparation, use, cooking, dealing in or storing of meats, fish, fowl, birds, fruit, or vegetables, including cans, containers and wrappers wasted therewith and also, kitchen and table wastes of every kind except dishwater or waste water and all other refuse or waste matter of any nature or kind, mixed, handled or included therewith.

   c. Nusiance - includes anything which is injurious to health, offensive to the sense, obstructs the reasonable and comfortable use of property, or causes inconvenience or discomfort to the community or neighborhood. (Sec. 3)

III. ADMINISTRATION

1. Responsible Agency

   a. Health Officer (Sec. 1:2)

   b. County Board of Supervisors (Sec. 4:4)

2. Functions and Powers

   a. Health Officer

      (1) To administrate and enforce these regulations and relevant state laws. (Sec. 1:2)

      (2) To inspect premises and collect laboratory samples. (Sec. 1:3)

      (3) To order immediate and complete abatement of a public nuisance or menace, or of a condition which may, in the opinion of Health Officer, become a menace to the public health. (Sec. 1:7)

(4) To inspect and approve all equipment and facilities of license applicant prior to approval of license. (Sec. 6:1a)

(5) To approve granting of all licenses. (Sec. 6:1b)

b. County Board of Supervisors

Retains right to establish at any board meeting and without notice to any party maximum rates for collection and/or disposal of garbage. (Sec. 4:4)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Storage

(1) Containers shall be galvanized metal, in good repair, leak proof, rodent proof, free from holes and not to exceed 20 gallons in capacity.

(2) Containers shall be fitted with tight-fitting metal covers which shall be removed only when emptying or filling container and be equipped with handles in opposite sides.

(3) Storage area shall be kept clean, free of spilled garbage, or foul smelling water or refuse.

(4) All garbage shall be securely wrapped. Residential garbage cans may be used for refuse storage, but harmful drugs and acids shall not be placed therein.

(5) Cans shall be washed and so maintained to prevent it from becoming foul smelling and a breeding place for flies.

(6) Commercial standards shall be same as residential standards except the container shall not be restricted to 20 gallon capacity. (Sec. 7)

b. Collection

(1) Collector shall take care not to spill any garbage, rubbish or wastes and pick up all such material spilled.

(2) Collector in early morning hours shall use caution to prevent unnecessary noises.

(3) Collector shall return cans to storage area and take care not to damage them.

(4) All vehicles shall be kept clean and so designed to prevent spillage and leakage. (Sec. 5)

2. Prohibited Activities

   a. It shall be unlawful for any persons to keep on premises any substance which may be injurious to public health except in closed containers as provided for in this ordinance.

   b. It shall be unlawful to transport any garbage or decayed vegetable matter through the streets without a license except a person may carry containers from his home to disposal area.

   c. It shall be unlawful, except as to licensees, to deposit any garbage on any public or private property, street, alley, or body of water.

   d. It shall be unlawful to allow any garbage to be placed or remain on any curb lawn.

   e. It shall be unlawful to transport garbage or decayed vegetable matter except in all metal enclosed vehicle. (Sec. 6)

3. Approved Operations of Solid Waste Facilities

   a. Sanitary Landfills

      (1) No garbage or refuse shall be dumped except at sanitary landfill site.

      (2) No garbage shall be disposed of within 200 yards of a public highway.

      (3) Working area of fill must be enclosed by fence.

      (4) On level ground, trench method shall be used. After each days deposit, a minimum of 6 inches of cover shall be used. Completed fill shall not be over 8 feet in depth and covered by not less than two feet of cover.

      (5) On sloping ground, the progressive slope method shall be used. The daily cover shall be 6 inches and final cover at least 2 feet.

      (6) There shall be a suitable road to landfill.

      (7) Adequate drainage shall be maintained to prevent accumulation of surface water.

      (8) No refuse shall remain uncovered overnight.

(9) Stumpts, concrete, radioactive wastes, industrial and toxic wastes are not suitable for disposal at landfill unless approved by Health Officer.

b. Incineration

Incineratiors may be used if under supervision of qualified individuals and if approved by Health Officer.

c. Garbage Grinding

Garbage grinding is permitted if sewage treatment plant designed for purpose of handling garbage is made available.

d. Individual Disposal

Individual may dispose of garbage from his own dwelling when done in manner not to create a nuisance or menace to health. (Sec. 8)

V. ENFORCEMENT

1. Requirements for Permits, etc.

   a. License required to engage in business of collection and/or disposal of garbage. (Sec. 4)

   b. Application shall be made to County Clerk and if Health Officer approves, license shall be issued.

   c. Licensee must furnish service to all users if said user complies with these regulations. (Sec. 4 and 6)

2. Inspection Procedure

   a. Prior to issuance of application, Health Officer shall inspect all equipment and facilities used or to be used by applicant. (Sec. 6:1)

   b. All premises are subject to inspection by the Health Officer. (Sec. 1:3)

   c. No person shall refuse to permit the Health Officer to inspect any premises at reasonable times. (Sec. 1:4)

3. Administrative Proceedings

   a. Health Officer may order the immediate and complete abatement of a public nuisance or menace to public health or of a condition which, in his opinion, may become a menace to public health. (Sec. 1:7)

b. No person shall remove, mutilate or conceal any notice of Health Officer. (Sec. 1:8)

4. Penalties

Conviction of failure to comply with these provisions shall be punished by a fine not to exceed $100 or imprisonment not to exceed 90 days or both. Each day's violation is a separate and distinct violation. (Sec. 1:6)

5. Insurance

a. $50,000 - personal injury to one person.

b. $100,000 - personal injury in any accident.

c. $25,000 - property damage. (Sec. 4:3)

LOS ALAMOS COUNTY, NEW MEXICO

I. NAME OF ORDINANCE

An Ordinance Establishing a Service for the Collection and Disposal of all Garbage, Rubbish, Ashes and other Refuse, Ordinance No. 56, May 15, 1967.

II. GENERAL STATEMENT

1. Definitions

a. Garbage - includes putrescible animal and vegetable waste resulting from the storage, handling, preparation, cooking and consumption of food.

b. Rubbish - includes non-putrescible waste materials such as paper, cartons, rags, boxes, excelsior, rubber, leather, tree branches, tin cans, bottles, scrap automotive bodies and other metallic junk, mineral matter and street sweepings, crockery, discarded furniture, dirt, ashes and all other refuse not included in the term garbage.

c. Refuse - includes putrescible and non-putrescible solid wastes (except body wastes) including any and all garbage, rejected or waste food, offal, swill, ashes, slop, rubbish and waste or unwholesome material of every kind and character.

d. Large Volume Receptacle - includes refuse receptacles of 4 cubic yards of greater capacity furnished and maintained by the County which shall be subject to special collection fees as provided in this ordinance. (Sec. 2)

III. ADMINISTRATION

1. Responsible Agency

The County Administrator with the advice of the Health Authority

2. Functions and Powers

a. To make regulations pertaining to the collection, conveyance and disposal of refuse. (Sec. 3)

b. To collect and dispose of all garbage, rubbish and other refuse. (Sec. 6:c)

c. To issue permits for the operation of incinerators. (Sec. 5:a)

SCOPE OF LEGISLATION

1. Standards and Regulations

    a. Every person shall provide one or more garbage receptacles. (Sec. 4)

    b. The County shall provide sufficent, trained refuse disposal employees and equipment. (Sec. 6:a)

    c. Rubbish may be collected and hauled by those engaged in construction under a valid permit. (Sec. 6:c,2)

    d. Tree and yard trimmings accumulated by persons regularly engaged in gardening or landscaping may be collected under a valid permit. (Sec. 6:c,3)

    e. Business and commercial establishments, and occupants or owners of private residence may haul occasional ''one-time'' loads of excess rubbish. (Sec. 6:c,4 and 5)

    f. The County shall maintain a refuse disposal site. (Sec. 6:d)

    g. Incinerators may be approved for the burning of contaminated medical, hospital or governmental wastes. (Sec. 5:a,1)

    h. Rubbish may be burned as specifically permitted by County Ordinance No. 48 (Fire Code) and amendments thereto. (Sec. 5:b)

    i. Composting will be permitted by the County under regulations adopted by the Health Authority. (Sec. 5:d)

    j. The owner of a dead animal is responsible for removing and disposing of it. He may have the assistance of the County in removing such animal. (Sec. 10:b)

    k. Every person is required to receive refuse collection, removal and disposal services and to pay fees. (Sec. 11)

2. Prohibited Activities

    a. It shall be unlawful to burn or bury any garbage or rubbish except as provided. (Sec. 5)

    b. It shall be unlawful to dump refuse except at the disposal site. (Sec. 5:d)

    c. It shall be unlawful to scavenge, collect, or scatter refuse at the disposal site. (Sec. 6:e)

    d. It shall be unlawful to throw refuse on any street. (Sec. 7)

e. It shall be unlawful to permit any premise to become offensive or dangerous to the neighborhood or to the public health. (Sec. 8:a)

f. It shall be unlawful to permit weeds, briars, brush, or other vegetation to grow so as to emit obnoxious odors or to become hazardous to public health. (Sec. 8:b)

g. It shall be unlawful to disturb or scatter the refuse or contents of the refuse receptacles. (Sec. 9)

V. ENFORCEMENT

1. Requirements for Permits

A permit must be issued for the operation of incinerators, for the collection and disposal of rubbish, and for the operation of trailer courts. (Secs. 5:a,1 and 6:c)

2. Liability for Violators

a. If any person fails to pay fees or charges, the amount of such unpaid charges or fees shall be made an assessment against such real property or any improvements contained thereon. (Sec. 14)

b. After the certified list containing any delinquent assessment with penalty added for nonpayment of the assessment is accepted by the Board of County Commissioners, the assessment shall be a lien against the parcel of real estate. (Sec. 17)

3. Administrative Proceedings

a. The County Clerk shall publish a notice containing the assessment roll not less than 10 nor more than 20 days before the day of the protest hearing. (Sec. 15)

b. At the protest hearing any interested person may protest to the Board of County Commissioners. The Board shall correct any errors, if any, or confirm the proceedings and assessments. The proceedings and assessments so confirmed shall be deemed to be the final determination as to the correctness of the assessment. (Sec. 16)

4. Penalties

Any person violating any provision of this ordinance shall upon conviction thereof be punished by a fine of not more than $100.00 or imprisonment for not more than 10 days, or by both. (Sec. 18)

IREDELL COUNTY, NORTH CAROLINA

I. NAME OF ORDINANCE

Rules and Regulations governing the Storage, Collection, Transporting, and Disposal of Refuse, March 21, 1966.

II. GENERAL STATEMENT

1. Declaration of Policy

The regulations are for the protection of public health and shall govern the storage, collection, transporting, and disposal of refuse throughout the County.

2. Definitions

a. Refuse - includes garbage or rubbish.

b. Garbage - includes all putrescible solid wastes, including vegetable matter, animal offal, and carcasses of small animals, but excluding human body wastes, animal manure, and recognizable industrial by-products. Used milk cartons, or other discarded food containers that are not dry and clean, shall be included in this definition.

c. Rubbish - includes non-putrescible solid wastes.

d. Refuse collector - includes any person who collects or transports refuse, other than one who removes refuse from his own premises. (Sec. 1)

III. ADMINISTRATION

1. Responsible Agency

Director of the Health Department

2. Functions and Powers

a. To approve the method of storing garbage or other refuse. (Sec. II)

b. To approve the methods of disposing of refuse. (Sec. V)

c. To give permit for collecting, transporting, or disposing of refuse. (Sec. VI)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Every garbage container must be constructed of metal, or equally durable material, in such a manner as to be strong, watertight, not easily corrodible, fly proof, and rodent proof; and must have a capacity of not more than 32 gallons. A sufficient number of containers must be provided to hold at least one week's accumulation of garbage. (Sec. II:1)

b. Rubbish must be stored in such a manner that it will not provide harborage to rats, nor cause a fire hazard. (Sec. II:2)

c. All garbage and refuse must be removed from the premises at least once a week. (Sec. III)

d. Refuse trucks must be leak proof, and covered with a canvas or other substantial material, unless it is constructed in such a manner as to prevent leakage or spillage of the refuse. Truck bed should be cleaned daily. (Sec. IV)

e. No refuse collector shall dispose of refuse except by one of the following methods:

   (1) By burning refuse in an incinerator of a type approved by the Health Director as safe and sanitary.

   (2) By burying refuse in a sanitary landfill that is designed, operated, and equipped in accordance with the recommendations in Special Bulletin No. 479 of the State Board of Health. (Sec. V)

f. The customer shall pay a maximum monthly fee as set out as follows:

   (1) Rural property owners - $2.50.

   (2) Trailer Courts - based on agreement.

   (3) Business establishments - based on agreement.

   (4) Individual trailers on individual lots - $1.50. (Sec. VII:A)

V ENFORCEMENT

1. Requirements for Permits

   a. The person shall collect, transport, or dispose of refuse without a written permit from the County Board of Commissioners. (Sec. VI:A)

   b. Each exclusive permit shall become effective for a period of five years. (Sec. VI:B)

2. Inspection

The Health Director inspects facilities, equipment, or operating methods of any person holding a permit. If conditions or practices in violation of the provisions of these regulations are not corrected within ten days, the Director shall make a reinspection. (Sec. VIII:A)

3. Liability for Violators

The Health Director shall revoke a permit if the permittee has not corrected unlawful conditions or practices in ten days after receiving a notice in writing. (Sec. VIII:A)

4. Administrative Proceedings

Upon written permission from a person whose permit has been denied or revoked, the County Board of Commissioners shall hold a hearing at which time such person shall be given an opportunity to prove his case. No such hearing shall be held unless written petition has been filed within ten days. After the hearing, the County Board of Commissioners may either approve the denial or revocation of such permit or order that it be issued or reinstated. (Sec. VIII:B)

5. Penalties

Any person who violates this ordinance shall be guilty of a misdemeanor, and fined not exceeding $50.00 or imprisoned not exceeding 30 days. (Sec. X)

6. Performance Bonds and Insurances

The applicant for permit must secure and present to the County a good sufficient surety bond or liability insurance policy in the sum of not less than $1,000.00. (Sec. IX)

MECKLENBURG COUNTY, NORTH CAROLINA

I. NAME OF ORDINANCE

Regulations Governing the Storage, Collection, Transporting, and Disposal of Solid Waste, August 15, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

The Regulations govern the storage, collection, transporting and disposal of solid waste for the protection of the public health.

2. Definitions

a. Refuse - includes putrescible and non-putrescible solid wastes, (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

b. Garbage - includes putrescible animal and vegetable wastes resulting from the handling, preparation and consumption of foods.

c. Rubbish - includes non-putrescible solid wastes (except ashes). It consits of both combustible and noncombustible materials, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, metals and similar objects.

III. ADMINISTRATION

1. Responsible Agency

County Board of Health

2. Functions and Powers

To give permits for collection, transportation, or disposal of rubbish, garbage, or refuse. (Sec. 3:A)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Garbage or rubbish must be stored in covered containers which are watertight, provided with a tight-fitting lid, rust resistant, and fly tight and rodent proof. (Sec. 2:A)

b. No person shall accumulate rubbish or debris on any land or in any building that will provide harborage or breeding places for mosquitoes, vermin, or rats. (Sec. 2:B)

c. Rubbish, garbage and refuse must be disposed of by burning rubbish, garbage or refuse in an incinerator of a type approved by the Air Pollution Control Authority, and by burying them in sanitary landfills. (Sec. 4:A and B)

d. Sanitary landfills must comply with the following requirements:

   (1) All refuse must be thoroughly compacted and covered with at least 6 inches of earth to prevent fly emergence, rodent infestation, and to allay odors.

   (2) The fill site must be maintained in a neat and sanitary condition.

   (3) Measures must be taken to prevent water pollution.

   (4) No domestic animals must be permitted to feed from garbage at the site.

   (5) The final earth covering for slopes of landfills must be compacted to a minimum depth of 24 inches. (Sec. 4:B)

2. Prohibited Activities

It shall be unlawful to conduct open burning on landfill sites to reduce the volume of refuse. (Sec. 4:15)

V. ENFORCEMENT

1. Requirements for Permit

a. No person shall collect, transport, or dispose of rubbish, garbage or refuse without a written permit. (Sec. 3:A)

b. The Health Director is authorized to refuse to issue any permit in case of noncompliance with the requirements of the regulations. (Sec. 3:c)

c. The Health Director may suspend a permit if conditions or practices in violation of the provisions of the regulations have not been corrected. (Sec. 3:F)

2. Liability for Violators

The Health Director may bring a proceeding in the Superior Court of the County in which the violation of the regulation exist for its abatement. (Sec. 5:B)

3. Administrative Proceedings

The Board of Health must hold a hearing when a person whose permit has been suspended files a written petition. After the hearing, it may either revoke or re-instate such permit. (Sec. 5:G)

4. Penalties

Any person who violates any regulations is guilty of a misdemeanor and punishable by a fine not to exceed $50.00 or imprisonment not to exceed 30 days. (Sec. 4:A)

5. Bond or Liability Insurance

Any collector of garbage must submit to the Board of Health for its approval a good and sufficient bond or liability insurance in the sum of not less than $2,000.00, and this bond must be kept in force at all times. (Sec. 3:E)

6. Injunctive Powers

The Superior Court may upon hearing and for good cause shown enjoin the continuance of the condition violating the regulations, irrespective of all other remedies at law. (Sec. 5:B)

MARION COUNTY, OREGON

I. NAME OF ORDINANCE

Solid Waste Collection and Disposal Ordinance, September 22, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

   To protect the health, safety and welfare of the people of Marion County and to provide a coordinated program on accumulation, collection and disposal of wastes and solid wastes. (Sec. 2)

2. Definitions

   a. Disposal site - includes any land used for the disposal of solid wastes, including, but not limited to, dumps, landfills, sanitary landfills and composting plants, but does not include a landfill site which is not used by the public either directly or through a service, and which is used by the owner or tenant thereof to dispose of sawdust, bark, soil, rock, building demolition material or non-putrescible industrial waste products resulting from the process of manufacturing. (Sec. 3.06)

   b. Hazardous Solid Waste - includes soil waste that may be itself or in combination with other solid wastes, be infectious, explosive, poisonous, caustic or toxic or otherwise dangerous or injurious to human, plant or animal life. (Sec. 3.11)

   c. Incinerator - includes a combustion device specifically designed for the reduction by burning, of solid, semi-solid or liquid combustible wastes. (Sec. 3.12)

   d. Landfill - includes a disposal site operated by means of compacting and covering solid wastes at specific designated intervals, but not each operating day. (Sec. 3.13)

   e. Sanitary landfill - includes any disposal site operated by means of compacting and covering solid wastes at specific designated intervals, but not each operating day. (Sec. 3.13)

   f. Solid waste - includes all putrescible and non-putrescible wastes, whether in solid or liquid form, except liquid carried industrial wastes or sewage or sewage hauled as an incidental part of a septic tank or cesspool cleaning service, but including garbage, rubbish, ashes, sewage sludge, street refuse, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes, dead animals and other discarded solid materials. (Sec. 3.21)

III. ADMINISTRATION

1. Responsible Agency

   The County Engineer under the supervision of the Solid Waste Disposal Committee and the Board of County Commissioners.

2. Functions and Powers

   a. To regulate accumulation, collection and disposal of wastes and solid wastes and the creation and operation of disposal sites.

   b. To provide a coordinated county-wide program of control of solid wastes in cooperation with federal, state and local agencies responsible for the prevention, control or abatement of air, water and ground pollution.

   c. To provide for, and encourage research, studies, surveys and demonstration projects on developing more sanitary, efficient and economical solid waste disposal systems and programs.

   d. To provide for cooperation and agreements between Marion County, and other counties involving joint or regional franchising of solid waste collection or disposal. (Sec. 2)

3. Appointment of an Advisory Board

   a. There is created a Solid Waste Committee consisting of:

      (1) Marion County Engineer

      (2) Director of the Council of Governments.

      (3) Director of County Environmental Health Services.

      (4) Two members of the general public and two holders of franchises. (Sec. 7.01)

   b. Duties of the Committee

      (1) To make an annual report.

      (2) To develop a long-range plan to provide adequate disposal sites and facilities.

      (3) To develop minimum standards for the location and operation of disposal sites. (Sec. 7.03)

   c. Regional Solid Waste Committee

The Board of County Commissioners may appoint one or more members of the Committee to serve on a regional committee. (Sec. 7.04)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. No person shall store, collect, maintain or display on private property, water or solid waste that is offensive or hazardous to the health and safety. Storage, collection, maintenance or display of wastes or solid wastes in violation of this subsection shall be a public nuisance. (Sec. 5.01)

   b. The Board of County Commissioners may promulgate rules governing,

      (1) Accumulation, storage, collection, transportation and disposal of solid wastes to prevent (a) vector production and sustenance, (b) conditions for transmission of disease to man or animals, (c) air pollution, (d) pollution of surface or ground water, and (e) hazards to service or disposal workers or to the public

      (2) Disposal sites

      (3) Construction, loading and operation of collection vehicles

      (4) Safe handling of hazardous wastes. (Sec. 8:a)

   c. Upon recommendation of the Solid Waste Committee, the Board of County Commissioners may approve and establish existing rates filed by applicants for franchises if such rates are not unreasonable. (Sec. 10.01)

2. Prohibited Activities

   a. It shall be unlawful to dispose of solid waste at any other place than an approved disposal site. (Sec. 6 :a)

   b. It shall be unlawful for any person to use any land as a disposal site without approval of the Board of County Commissioners. (Sec. 6:b)

   c. It shall be unlawful to store, collect, transport or dispose of any solid waste without a franchise. (Sec. 9.01:a)

V. ENFORCEMENT

1. Requirements for Franchises

a. Persons who are providing collection service must be granted a collection franchise. (Sec. 9.03)

b. Any persons who want to provide disposal service must secure disposal franchise. (Sec. 9.05)

c. The Board of County Commissioners may issue a franchise for joint service with another person. (Sec. 9.08)

d. A franchise holder may transfer his franchise only upon written notice to and approval by the Board. (Sec. 9.09)

e. Franchises shall be renewable unless grounds exist for refusal to renew. The term for collection franchises shall be ten years. The terms for disposal franchises shall be determined by the Board. (Sec. 9.14)

f. The Board shall collect from the holder of: (1) any collection franchise, an annual fee equal to 3 percent of the gross cash receipts from collection service; (2) any disposal franchise, an annual fee of $25.00. (Sec. 9.15)

2. Liability for Violators

The Board of County Commissioners may suspend, modify, revoke, or refuse to renew a franchise if the holder has (1) violated the ordinance; (2) materially misrepresented facts or information given in the application; (3) refused to provide adequate service area. (Sec. 9.12:a)

3. Administrative Proceedings

a. The Board shall conduct a public hearing on the existence of the alleged nuisance, and shall order a suit for its abatement if a nuisance is found to exist. (Sec. 5.02:d)

b. The applicant or a franchise holder may request a public hearing upon the Board's order adverse to him within 30 days after the date of said order. (Sec. 9.07)

c. If the Board suspends, modifies, revokes or refuses to renew the franchise, the franchise holder may request a public hearing in writing within 30 days after date of the order. The Board may following the public hearing, affirm, amend or rescind its prior order. (Sec. 9.12:c)

4. Penalties

The violations of the provisions of this ordinance shall be deemed to be a misdemeanor and shall be punishable upon conviction by a fine of not more than $500.00 or by imprisonment for not more than 6 months or both. (Sec. 12.03)

5. Performance Bonds and Insurances

   a. The Board may require the franchise applicant to submit a corporate surety bond. (Sec. 9.03:,5 and 9.05:c,3)

   b. The Bond may require the applicant to have public liability insurance in the amount of not less than $100,000 and property damage insurance in the amount of not less than $25.00. (Sec. 9.03:b,7)

6. Injunctive Powers

   The Board is authorized to make and issue temporary restraining orders enjoining the alleged violation of this ordinance. If the Bond determines that the alleged violator has committed a violation of this ordinance, it may enter an order permanently enjoining further violations. (Sec. 12.01)

I. NAME OF ORDINANCE

An Ordinance relating to the Creation of a Solid Waste Control Program, as amended, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

To protect the health, safety and welfare of the people of Washington County, the Board of County Commissioners has determined the necessity of providing a co-ordinated county-wide program for the safe, economical and efficient collection, storage, transportation and disposal of wastes and solid wastes, and to insure adequate standards of service for said collection, storage, transportation and disposal of wastes and solid wastes. (Sec. 2)

2. Definitions

a. Disposal site - includes any land used for the disposal of solid wastes including, but not limited to, dumps, landfills and composting plants. Exception: A landfill site used by the owner or tenant to dispose of sawdust, bark, soil, rock, building demolition material or non-putrescible industrial waste products.

b. Hazardous Solid Waste - includes solid waste that may be infectious, explosive, poisonous, caustic or toxic or otherwise dangerous or injurious to human, plant or animal life.

c. Landfill - includes disposal of solid waste by compacting and covering solid waste at specific designated intervals but not each operating day.

d. Putrescible material - includes organic material that can decompose, and may give rise to foul smelling, offensive products.

e. Solid Waste - includes all putrescible and non-putrescible wastes, whether in solid or liquid form, except liquid-carried industrial wastes or sewage or sewage hauled as an incidental part of a septic tank or cesspool cleaning service, but including garbage, rubbish, ashes, street refuse, industrial waste, swill, demolition and construction waste, abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid waste, dead animals and other discarded solid materials.

f. Waste - includes useless, unwanted or discarded materials. (Sec. 1)

III. ADMINISTRATION

1. Responsible Agency

2. Functions and Powers

   To administer and enforce this ordinance. (Sec. 3:A)

3. Solid Waste Advisory Committee

   a. The Committee consists of seven members, five representing the public, and two representing the solid waste collection and disposal industry. Members of the Committee are appointed by the Board of County Commissioners and serve for a term of five years. (Sec. 5)

   b. The Committee makes an annual report containing its recommendations, if any, regarding proposed changes or additions to the rules and regulations and performs such other and further acts as may be necessary, proper or desirable to carry out effectively the functions of the Committee. (Sec. 6)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. Persons who are providing service to a residential, commerical, or industrial customer on or before January 1, 1969 may continue to serve such customer even if said customer is located within a service area allocated to another person. (Sec. 11)

   b. The holder of a certificate must provide required service and facilities; should not discontinue service without giving not less than 90 days written notice; may contact with another person to provide service after giving 30 days written notice; and may refuse collection service if the customer refuses to pay for the service. (Sec. 13)

   c. Rates filed by all applicants must be approved by the Board. (Sec. 16)

   d. No certificate holder shall give any rate preference to any person, locality or type of solid waste. (Sec. 17)

   e. The annual certificate fee is equal to 3% of the gross receipts from the area defined in the certificate. (Sec. 18)

V. ENFORCEMENT

1. Requirements for Permits

a. It shall be unlawful to collect, store, transport or dispose of any waste without a certificate. Exceptions: Cities, federal or state agencies. (Sec. 7)

b. The Board may issue a certificate for joint service with another person who can provide that service. (Sec. 12:A)

c. The Board may issue a temporary or permanent certificate to another person for limited purpose. (Sec. 12:B)

2. Liability for Violators

The Board may suspend, modify or revoke a certificate upon finding that the holder has willfully violated this ordinance. (Sec. 15)

3. Administrative Proceedings

The Health Department has authority to administer oaths, certify to all offical acts, subpoena and require the attendance of witnesses at public hearings, require production of relevant documents of public hearings; swear witnesses; take testimony of any person by deposition; and enter upon the premises of any person to determine compliance with this ordinance. (Sec. 3)

4. Penalties

The violation of the relevant provisions of this ordinance is punished by a fine of not less than $500 or more than $1,000, or by imprisonment for a period not to exceed one year, or both. (Sec. 21)

5. Injunctive Powers

a. The Board is authorized to issue temporary restraining orders enjoining the alleged violation. (Sec. 19)

b. The Board, District Attorney, or County Counsel, may institute injunction, mandamus, abatement or other appropriate legal proceeding to temporarily or permanently enjoin or abate unlawful collection, storage, transportation or disposal. (Sec. 22)

ALLEGHENY COUNTY, PENNSYLVANIA

I. NAME OF ORDINANCE

Allegheny County Health Departments' Rules and Regulations, Article VIII Solid Waste Management, September 1, 1969.

II. GENERAL STATEMENT

1. Declaration of Policy

   This article provides regulations for establishing minimum standards for the regulation of the collection, processing, storage and disposal of solid waste material, establishing minimum standards governing the condition and maintenance of disposal facilities, vehicles and other equipment, fixing responsibilities and duties of owners engaged in solid waste management and permits. (Sec. 801)

2. Definitions

   a. Composting - includes decomposition of solid waste material of organic composition through chemical and biological process usually resulting in a plant food or soil conditioner.

   b. Garbage - includes all putrescible solid wastes resulting from animal, grain, fruit or vegetable matter used or intended for use in food.

   c. Incineration - includes process of burning combustible solid waste to an inoffensive gas and a sterile residue.

   d. Refuse - includes all solid waste excluding ashes and garbage, consisting of, but not limited to, rubbish, paper, cardboard, tin cans, yard clippings wood, glass, bedding, crockery, metal and street cleanings. Exceptions: body waste and hazardous materials.

   e. Sanitary Landfill - includes any method of disposing of solid wastes on or in ground by compaction and covering with soil or appropriate materials approved by the Director without creating fires, nuisances or hazards to public health and safety.

   f. Solid Waste - includes all or parts of combinations of ashes, garbage, refuse, hazardous material, combustible demolition materials and industrial wastes. (Sec. 804)

III. ADMINISTRATION

1. Responsible Agency

   Health Department

2. Functions and Powers

   a. To issue permits for solid waste transportation and processing or disposal area. (Sec. 810:D and Sec. 811)

   b. To enforce standards contained in Article VIII and to adopt applicable laws, regulations and standards of the United States and the Commonwealth of Pennsylvania. (Sec. 812)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

   a. All-weather access roads negotiable by loaded collection vehicle must be provided to the entrance of the disposal site or facility where a public road does not exist.

   b. Provisions should be made for measuring all solid waste delivered to the site.

   c. Necessary measures should be taken to prevent and extinguish fires.

   d. Access to the site must be limited to those times when an attendant is on duty.

   e. Salvaging is permitted only when properly controlled.

   f. Collection vehicles must be constructed of metal, easily cleanable and cleaned at sufficient frequency. (Sec. 812:E)

2. Prohibited Activities

   a. It shall be unlawful to install, construct extensively, alter, or operate any solid waste system without regard to the requirements and standards of this article. (Sec. 812:A)

   b. It shall be unlawful to dispose of solid waste upon any public or private property or into the waters except in an approved manner. (Sec. 812:C)

   c. It shall be unlawful to permit an open fire for the purpose of disposing of solid waste except where permission is obtained. (Sec. 812:D)

V. ENFORCEMENT

1. Requirements for Permits

a. Permits are required of any person, municipality, county or authority to use land as a solid waste processing or disposal area. (Sec. 810:A)

b. The annual fee is $100 which is due after notification of approval of the application. (Sec. 810:D) There shall be no charge to municipalities.

c. Permits are renewable annually and may be revoked when provisions of these rules and regulations are not adhered to. (Sec. 810:I and J)

d. A permit is required to transport solid waste. (Sec. 811)

2. Inspection Procedure

The Director of the Health Department may enter and inspect any property, records and equipment at all reasonable times and in an emergency at any time.

3. Liability for Violators

In case of violation, the Director shall give notice of the violation in the manner provided in this section to the person responsible for compliance. (Sec. 805)

4. Administrative Proceedings

a. Any person aggrieved by any action of the Department may request a hearing by filing in the office of the Director a petition for a hearing. (Sec. 807)

b. The Director may, without prior notice, issue an emergency order. In the event of non-compliance with the order, he may institute appropriate actions or proceedings at law or in equity. (Sec. 808 and 809)

5. Penalties

Any violator is subject to a fine of not more than $100.00 or to imprisonment for a period of not more than 30 days, or both. (Sec. 814)

SALT LAKE COUNTY, UTAH

I. NAME OF ORDINANCE

Garbage Ordinance of Salt Lake County, Utah, September 20, 1967.

II. GENERAL STATEMENT

1. Declaration of Policy

2. Definitions

a. Community waste - includes lawn cuttings, clippings from bushes and shrubs, leaves, sweepings from yards, tin cans, boiler ashes, newspapers, magazines, cardboard cartons, and stove ashes (but not building materials).

b. Garbage - includes swill and all animal, vegetable and food refuse from kitchens of residences, hotels, cafes, restaurants and places where food is prepared for human consumption.

c. Refuse - includes combustible trash, including, but not limited to, paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, wood furniture, bedding; noncombustible trash, including, but not limited to, metal, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete glass, crockery, other mineral wastes; street rubbish, including, but not limited to, street sweepings, dirt, leaves, catch-basin dirt, contents of litter receptacles.

d. Exception - includes earth and wastes from building operations, and solid wastes resulting from industrial processes and manufacturing operations, such as food processing wastes, boilerhouse cinders, lumber, scraps and shavings. (Sec. 8-1-1)

III. ADMINISTRATION

1. Responsible Agency

Board of Health

2. Functions and Powers

a. To make rules and regulations and enforce the provisions of this ordinance in reference to garbage, scavenger and waste disposal work. (Sec. 8-2-1)

b. To answer and investigate all complaints, and when necessary, in its judgement, to declare the unsanitary condition a public nuisance. (Sec. 8-2-2)

c. To establish such garbage districts as it may deem necessary for the proper conduct of the Department. (Sec. 8-2-3)

d. To submit proposed contracts for the handling or disposal of any refuse, trade waste and market waste. (Sec. 8-2-4)

e. To declare worn-out, rusted or filthy containers public nuisances. (Sec. 8-2-5)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. The Board of County Commissioners may provide for the collection and disposal, at the expense of the county, of residential refuse. (Sec. 8-3-2)

b. The Board must provide for the collection of junk and tree limbs at least once each month. (Sec. 8-3-3)

c. Collection vehicle must be covered completely with a heavy duty canvas or other heavy acceptable material at all times. (Sec. 8-3-4)

d. All waste receptacles must be set out for collection at such places and times as may be desingated by the Board of Health. (Sec. 8-4-2)

e. Every owner must provide suitable and sufficient approved receptacles for receiving and holding refuse. No receptacle shall be filled to exceed 100 pounds in weight. (Sec. 8-4-5)

f. All garbage and market waste must be placed in rain-proof and fly-proof receptacles with tight covers. (Sec. 8-4-11)

g. Waste disposal contractors can dump the contents of their collecting vehicles only in designated places. (Sec. 8-4-19)

h. All refuse not collected by the county must be collected and disposed of by the licensed collectors at the expense of the owner. (Sec. 8-4-20)

2. Prohibited Activities

a. It shall be unlawful to allow any garbage, trade waste or rubbish to fall and remain on any place or road. (Sec. 8-3-5)

b. It shall be unlawful to break any receptacle and to litter. (Sec. 8-3-6)

c. It shall be unlawful to place receptacles within 20 feet of any occupied dwellings. (Sec. 8-4-3)

d. It shall be unlawful to refuse to remove refuse within a reasonable time after notice is given. (Sec. 8-4-4)

e. It shall be unlawful to dump except in an incinerator or proper disposal device. (Sec. 8-4-6)

f. It shall be unlawful to deposit garbage in wooden boxes, barrels or paste board cartons. (Sec. 8-4-8)

g. It shall be unlawful to allow any loaded vehicle to remain on any public street any longer than necessary. (Sec. 8-4-10)

h. It shall be unlawful to burn any garbage or refuse in the open air. (Sec. 8-4-14)

i. It shall be unlawful to permit any dead animal to remain on the premises longer than three hours. (Sec. 8-4-16) It shall be unlawful to throw dead animals in water. (Sec. 8-4-17)

V. ENFORCEMENT

1. Requirements for Permits

a. Only licensee can collect garbage. (Sec. 8-3-1)

b. Disposing of waste requires permits from the Board of Health. (Sec. 8-4-1)

2. Liability

When an occupant of any premises fails to pay the fee for removal of garbage or refuse, the Board of Health shall refuse further collection until the required fee is paid. (Sec. 8-5-1)

3. Penalties

Any person violating any provision of this ordinance shall be fined not to exceed $299.00 or imprisoned not to exceed six months, or by both. A corporation violating a provision of this title shall be punished by a fine not exceeding $1,000.00. (Sec. 8-5-1)

FAIRFAX COUNTY, VIRGINIA

I. NAME OF ORDINANCE

Chapter 14, Garbage, Trash and Refuse, Fairfax County Code, July 15, 1961.

II. GENERAL STATEMENT

1. Declaration of Policy

2. Definitions

    a. Sanitary landfill - includes any land upon which refuse is dumped, thoroughly compacted and promptly covered with earth or other suitable material under constant supervision of the operator of the landfill and in such manner as will prevent the entrance of rodents or other vermin, the breeding of insects, the escape of odors and the outbreak of fire. (Sec. 14-3)

    b. Refuse - includes all solid waste of a community, including garbage, ashes, rubbish, street cleanings and solid market and industrial wastes, but not including body wastes. (Sec. 14-19)

III. ADMINISTRATION

1. Responsible Agency

    County Health Officer and Director Department of Public Works.

2. Functions and Powers

    a. To issue permits for the operation of a sanitary landfill (Sec. 14-6) and for the removal of refuse. (Sec. 14-20)

    b. To inspect the operation of any sanitary landfill and to enforce the provisions of this Ordinance. (Sec. 14-17)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

    a. Garbage must be kept enclosed in a watertight, flyproof container. (Sec. 14-2)

    b. No person shall dispose of refuse other than at a sanitary landfill. (Sec. 14-5)

    c. Sanitary landfills must be operated in accordance with the following requirements:

(1) A representative of the owner or operator of the landfill must be present on the premises.

(2) All refuse must be throughly compacted before being covered.

(3) The area must be enclosed by a fence.

(4) The compacted refuse must be completely covered to a depth of at least 6 inches at the end of each daily operation.

(5) A landfill should not be abandoned exceeding thirty days.

(6) No watercourse or natural drainage way shall be blocked or impared by landfill operations.

(7) No fires and salvage operations shall be permitted at a landfill at any time. (14-18)

d. The bodies of all collection vehicles must be constructed so as to prevent the refuse from spilling or being blown. (Sec. 14-30)

e. Refuse must be removed in such a manner that it does not create a nuisance or adversely affect public health. No harmful material, including explosive, toxic, radioactive or highly combustible material, shall be removed for disposal, except by a special permission. (Sec. 14-31)

f. Each vehicle used for refuse removal must be emptied each time it is dumped and thoroughly cleaned twice a week when in use. (Sec. 14-34)

2. Prohibited Activities

a. It shall be unlawful to dump refuse on any road. (Sec. 14-1)

b. It shall be unlawful to place any garbage, ashes, trash, rubbish or other refuse in an offensive or insanitary manner and to maintain containers in a condition that promotes the breeding of flies or vermin. (Sec. 14-2)

c. It shall be unlawful to fail to remove any trash, garbage, refuse, or litter after notifications to remove. (Sec. 14-21)

d. It shall be unlawful to dump any refuse upon private land. (Sec. 14-4)

e. It shall be unlawful to transfer refuse, other than refuse in containers, from one vehicle to another except in case of breakdown. (Sec. 14-33)

V. ENFORCEMENT

1. Requirements for Permits

   a. A permit is required to operate a sanitary landfill. (Sec. 14-6)

   b. Sanitary landfill permits should be valid for a period not in excess of one year. (Sec. 14-7)

   c. No permit shall be granted unless a use permit from the Board of Zoning Appeals has been obtained. (Sec. 14-8)

   d. The application for a private refuse license should be accompanied by a fee of $15. (Sec. 14-24) The permittee for a sanitary landfill should pay a permit fee of $100. (Sec. 14-14)

   e. Every person engaged in the removal of refuse must obtain an annual license from the Director of Finance. (Sec. 14-24)

   f. A permit number must be permanently affixed to both sides of the vehicle. (Sec. 14-27)

2. Inspection

   All vehicles used for refuse removal or transport have to be inspected by the approving authority. (Sec. 14-28)

3. Administrative Proceedings

   Sanitary landfill permits are subject to revocation if the operation of such landfill endangers the health, safety or general welfare. Before revoking any permit, the board of county supervisors must give the holder at least ten days written notice of the time and place for hearing and must conduct a hearing on the matter. (Sec. 14-9)

4. Penalties

   Violation of any provisions of this code constitutes a misdemeanor and shall be prosecuted in accordance with section 1-6 of this code. (Sec. 14-36)

5. Performance Bonds

   All persons engaging in the removal of refuse must furnish a bond in an amount equal to not less than $500 for each vehicle, but not to exceed $3000. In case of failure to correct any neglect or noncompliance, the bond shall be forfeited. The original bond shall be for a period of not less than 12 months and shall be renewed annually. (Sec. 14-25)

PRINCE WILLIAM COUNTY, VIRGINIA

I. NAME OF ORDINANCE

Chapter 10 Garbage, Trash and Ashes, as amended, Prince William County Code, 1965.

II. GENERAL STATEMENT

1. Definitions

a. Non-putrescible ash - includes any solid product of a combustible process which, when placed upon the ground, will not be the source of foul odors or support the multiplication of insects and rodents. (Sec. 10-2)

b. Refuse - includes all solid and semi-liquid waste of a community including garbage, ashes, rubbish, street cleanings and solid market and industrial wastes, but not including human or animal body wastes. (Sec. 10-2)

c. Refuse disposal site - includes any area set aside and licensed under permits issued under terms and conditions of this article for the disposal of refuse. (Sec. 10-2)

d. Refuse remover - includes any person engaged in the removing or transporting of refuse for compensation from two or more residential, commercial or industrial establishments, either within or without the county. (Sec. 10-11)

e. Vehicles - includes any truck or trailer used for transporting refuse from the premises from which it is collected to the point of refuse disposal. (Sec. 10-11)

III. ADMINISTRATION

1. Responsible Agency

Health Department

2. Functions and Powers

To issue permits to operate refuse disposal sites and to engage in refuse removing. (Section 10-7 and 10-19)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. Each collection vehicle shall transport refuse in such a manner as not to create a nuisance or adversely affect public health. The refuse shall not be spilled, dumped or thrown into any street, court, lane, alley, sewer inlet or vacant lot. Liquid and semiliquid refuse shall be carried in watertight containers. (Sec. 10-12)

b. Two types of vehicles shall be allowed for transportation:

   (1) A vehicle constructed with a watertight body, completely enclosed and covered;

   (2) A vehicle with a non-watertight body, with built-in cover, or with tarpaulin or equally effective cover. (Sec. 10-13)

c. All collection vehicles shall be provided with fire extinguishers. (Sec. 10-14)

d. No vehicle shall be emptied in the county other than an approved refuse disposal site. (Sec. 10-17)

e. Each vehicle shall be completely emptied each time it is dumped and thoroughly cleaned twice a week. (Sec. 10-18)

f. Refuse shall be collected not less than:

   (1) Once weekly during October, November, December, January, February, March and April;

   (2) Twice weekly during May, June, July, August, and September.

g. Commercial establishments shall have more frequent collections. (Section 10.20-1)

2. Prohibited Activities

   a. It shall be unlawful to remove known harmful materials for disposal except pursuant to a special permit. (Sec. 10-38)

   b. It shall be unlawful to burn refuse except tree limbs and trunks and auto tires, at the sanitary landfill. (Sec. 10-3(4)

   c. It shall be unlawful to engage in refuse removing without first having obtained an annual license. (Sec. 10-27)

3. Approved Operations of Solid Waste Facilities.

   a. The operation of sanitary landfill shall meet the following conditions:

(1) An all-weather road to the unloading area shall be provided.

(2) All refuse, except bulky items, shall be spread and thoroughly compacted in cells to a depth not greater than four feet.

(3) Each day's accumulation (a cell) shall be covered with a minimum six-inch layer of soil. Final cover shall be at least two feet of compacted soil.

(4) Salvage shall be permissible, provided that salvage materials shall be hauled away at least once a week.

(5) Dust control measures shall be applied.

(6) Adequate insect and rodent control measures shall be exercised.

(7) The filling area shall be totally enclosed by a fence at all times.

(8) Representative of owner or operator shall be on the premises when in operation.

(9) A landfill shall not be abandoned for more than 30 days unless the entire exposed surface has been covered with a material to a depth of at least two feet.

(10) No watercourse or natural drainage shall be blocked or impaired by the landfill operations.

(11) In the event of any breakdown in equipment, the landfill shall be closed until the equipment is repaired.

b. Incineration is acceptable subject to the following conditions:

(1) The incinerator shall be of an enclosed type.

(2) It shall preclude the production of nuisance from odor, smoke, air pollution, etc.

(3) The temperature must be such as to produce non-putrescible ash.

(4) If the incinerator fails to produce a non-putrescible ash, the product shall be disposed of by sanitary landfill. (Sec. 10-3)

V. ENFORCEMENT

1. Requirements for Permits

a. Prior to the issuance of a permit all vehicles to be operated shall be inspected. (Sec. 10-21)

b. Every refuse remover shall have all collection vehicles inspected annually by the Health Department. (Sec. 10-36)

3. Liability for Violators

The Board of Supervisors may revoke a permit if the operation of the disposal site in question is not in accordance with this article. (Sec. 10-10.1)

4. Penalties

a. Any person shall be guilty of a misdemeanor who shall dump trash on highway, etc. (Sec. 10-1)

b. Any person violating this article shall be punished by a fine not exceeding $300 or confinement in jail not exceeding 30 days or both. (Sec. 10-6)

5. Performance Bond

a. Each holder of a permit shall furnish a bond in an amount not less than $500 for each vehicle, but not exceeding $3000. (Sec. 10-31)

b. The bond shall be for not less than 12 months and shall be renewed annually. (Sec. 10-32)

c. In case of neglect in handling refuse, the bond shall be forfeited. (Sec. 10-35)

CENTRAL SAVANNAH RIVER AREA, GEORGIA

I. NAME OF ORDINANCE

Ordinance for Refuse Storage, Collection, and Disposal.

II. GENERAL STATEMENT

1. Definitions

   a. Refuse - includes all solid wastes of a community, including garbage, ashes, rubbish, dead animals, street cleanings, and solid market, and industrial wastes, but not including body wastes. (Sec. 1)

   b. Garbage - includes putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and/or consumption of foods. (Sec. 8)

   c. Ashes - includes residue from the burning of wood, coal, coke, or other combustible materials. (Sec. 8)

   d. Rubbish - includes non-putrescible solid wastes, excluding ashes, consisting of paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, metals, and similar materials. (Sec. 8)

   e. Dead Animals - includes small, dead animals; not exceeding 75 pounds each in weight, which die in the normal course of community activity excluding condemned animals, animals from a slaughter house, or other animals normally considered industrial refuse. (Sec. 8)

III. ADMINISTRATION

1. Functions and Powers of Responsible Agency.

   a. To implement and enforce the provisions of this ordinance.

   b. To control the storage, collection, and disposal of refuse.

   c. To provide a public refuse collection and refuse disposal service.

   d. To approve and regulate the establishment, maintenance, and operation of private refuse collection systems and refuse-disposal methods and sites. (Sec. 2)

   e. To issue permits to engage in the business of refuse collection or refuse disposal. (Sec. 4)

IV. SCOPE OF LEGISLATION

1. Standards and Regulations

a. The following refuse shall be considered to be acceptable for collection: garbage, ashes, rubbish, and dead animals. (Sec. 8)

b. Refuse not acceptable for collection by the responsible authority is as follows: dangerous materials or substances, unusual quantities of materials resulting from the repair, excavation, or construction of buildings or structures, materials which have not been prepared for collection in accordance with these regulations, and the solid wastes resulting from industrial process. (Sec. 9)

c. Bulky rubbish such as trees, weeds, and large cardboard boxes, may be bundled so as not to exceed 4 feet in length nor 50 pounds in weight. (Sec. 10:b)

d. All other refuse must be stored in durable metal, watertight and easily washable containers, which have close-fitting lids and adequate handles. Such containers must be of not less than 10 gallons nor more than 33 gallons in capacity. Plastic or paper refuse sacks can be used if they are of a type accepted by the health officials, and if at least twice weekly collection is provided. (Sec. 10:c)

e. Garbage must be drained and wrapped. (Sec. 10:d)

f. Ashes containing hot embers shall not be placed in containers for collection. (Sec. 10:f)

g. All household, institutional, business, and industrial refuse must be collected twice weekly. (Sec. 12:a and b)

h. All refuse to be collected must be placed not more than 100 feet from property line abutting the main street. All rubbish such as yard clippings and bulky items must be placed at curb in suitable containers. (Sec. 13)

i. All disposal of refuse must be by methods in accordance with requirements of state and local law, and must include the maximum practicable rodent, insect, and nuisance control. (Sec. 14:a)

j. Animal offal and carcasses of dead animals must be burried or cremated as directed by the responsible authority or must be rendered at 40 pounds per square inch of steam pressure or higher, or must be heated by equivalent cooking. (Sec. 14:c)

k. All vehicles must have enclosed bodies, or suitable provisions for covering the body. Use of a tarpaulin or canvas cover to enclose open bodies of collection vehicles may be permitted when specifically approved. (Sec. 15:a)

1. Vehicles must be watertight, metal bodies of easily cleanable construction, must be cleaned at sufficient frequency to prevent nuisance or insect-breeding. (Sec. 15:b)

2. Prohibited Activities

   a. It shall be unlawful for any person who does not posess an unrevoked permit to engage in refuse collection or disposal. (Sec. 4)

   b. It shall be unlawful to place any refuse except as designated by the terms of this ordinance. (Sec. 5)

   c. It shall be unlawful to abandon non-functioning motor vehicles, appliances, machinery, equipment or parts thereof upon any public or private land. (Sec. 10:a)

   d. It shall be unlawful to permit refuse, except bulky rubbish, to accumulate on any premises except in approved containers. (Sec. 10:e)

   e. It shall be unlawful to tamper with, remove covers, overturn, or otherwise damage receptacles or create litter or health problems. (Sec. 10:g)

   f. It shall be unlawful to burn at any public disposal site. (Sec. 13:b)

V. ENFORCEMENT

1. Requirements for Permits

   a. Any person who wants to engage in refuse collection or disposal must possess an unrevoked permit from the responsible authority. (Sec. 4 :a)

   b. A permit issued under this ordinance shall expire on the last day of each fiscal year and may be renewable annually. (Sec. 4:d)

   c. It is unlawful to transfer permits from one person to another. (Sec. 4:e)

2. Inspection

The responsible authority has the power to enter at reasonable times upon private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of the provisions of this ordinance. (Sec. 7)

3. Liability for Violations

The responsible authority may suspend or revoke permits if an order is issued and corrective action has not been taken within the time specified in the notice. (Sec. 6:c)

4. Administrative Proceedings

   a. Any person whose application for a permit has been denied may request a hearing. (Sec. 4:c)

   b. Any person who is affected by any notice issued in connection with the enforcement of any provision of this ordianance may request, and shall be granted, a hearing. Such person must file a written petition requesting such hearing within 10 days after the day the notice was served. At such hearings, the petitioner must be given an opportunity to be heard. The hearing must be commenced not later than 10 days after the day on which the petition was filed. (Sec. 6:b)

5. Penalties

   Any person who violates any provision of this ordinance, upon conviction, shall be punished by a fine of not less than $------ or, by imprisonment for not less than ------days nor more than -----days. (Sec. 16)

6. Injunctive Powers

   Whenever an emergency exists involving a serious health hazard, the responsible authority may, without notice or hearing, issue a written order reciting the conditions violating this ordinance which require corrective action to remove such health hazard. If such corrective action is not taken, the responsible authority may take such action as may be necessary to protect the public health. (Sec. 6:e)

u o 550

U.S. GOVERNMENT PRINTING OFFICE 1972 484-484/261 1-3